

ound dead

ister ends four-day visit

Jerusalem Post staff

Foreign Minister Shimon Peres

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EIGHT PAGES FROM SUNDAY'S
The New York Times
WEEKLY REVIEW

مكتبة الناصر

THE JERUSALEM POST

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TASE boosted by fall in CPI

RACHEL NEIMAN and news agencies
BOOSTED by last month's negative Consumer Price Index, the stock market rose 2.59 percent yesterday on NIS 60.9 million turnover, closing at 154.1.
The low turnover was a factor of the short trading day because of the intermediate days of Pessah.
The Two-Sided index went up 2.81% to 168.51 on NIS 44.8m. turnover. Most heavily traded was Teva, which rose 4.7% on NIS 7m. turnover.
The Karam index featured NIS 49.6m. demand on NIS 3m. supply. The Karam rose 2.4% by midday, then declined to 2.1% and closed at 134.74 on NIS 94.1m. turnover.
The Maof index rose 2.65% on NIS 328.1m. volume of trade and closed at 169.80.
Full report, Page 9

Qatar cancels Peres visit due to 'premature leak'

ALON PINKAS
FOREIGN Minister Shimon Peres's scheduled visit to Qatar was abruptly canceled by the Gulf state yesterday, because news of the trip was prematurely leaked.
A Foreign Ministry source confirmed the cancellation, but said a premature leak was never made. The source attributed the cancellation to a decision by the Gulf states to cool off relations with Israel pending progress in the peace talks with Syria and the implementation of the accords with the Palestinians.
Peres allegedly made the leak several weeks ago, when he said he planned to travel to three Arab countries, but did not specify which, raising speculation that he planned a Gulf tour.
One of the countries he will visit is Jordan, where Peres is scheduled to attend an economic conference next week.

Archeologists uncover replica of Second Temple

GUIDED by an ancient love story, an archeologist says he has uncovered an exact replica of the Second Temple.
Yitzhak Magen, chief archeologist for Judea and Samaria, located the replica through the writings of the ancient historian Flavius Josephus.
Josephus recorded the story of Menashe, a Jerusalem high priest who flouted Jewish law by marrying a non-Jew, Nikaso. She was a Samaritan, a sect reviled by the ancient Jews.
"They told him, 'Either you leave the Temple in Jerusalem or you leave your wife,' He decided to stay with his wife," said Magen. "Is this a love story or what?"
According to Josephus, Sanballat, Nikaso's father and the leader of the Samaritans, promised to build Menashe an exact replica of the Temple and make him its chief priest.
That copy lies underneath the remains of a fifth-century Byzantine church on Mount Gerizim, the barren mountaintop overlooking Nablus.
Magen began excavating the 880-meter peak in 1983, but only recently did the profile of the Samaritan temple begin to emerge. His team has uncovered the temple's two-meter thick walls, gates, and altars.
(Continued on Page 2)

3 Hamas gunmen killed in Hebron

'Murdered at least six Israelis'

JON IMMANUEL

BORDER policemen shot dead three members of Hamas's armed wing, Izzadin Kassam, in a grove outside Hebron yesterday morning. Two of the trio were apparently among the most wanted Hamas terrorists.
However, Palestinians said that one man, a cell leader who the IDF said was killed, was not among the dead.
Members of the Border Police undercover anti-terror unit ambushed the terrorists' car at 9 a.m. apparently as they were on their way to commit an attack. The policemen riddled the car with bullets in a grove just outside the city. A Palestinian who said he witnessed the ambush said one of the gunmen managed to fire a few shots.
In the car, soldiers found two Kalashnikov assault rifles, an Uzi submachine gun, grenades, ammunition, and IDF uniforms. A suspected explosive device in the trunk was detonated.
The three dead were identified by the IDF as Jihad Golmi, 24, Tarik Natshe, and Adel Falah. Golmi, considered the leader of the group, escaped from Dhabirya Prison 18 months ago.
The Hebron cell was responsible for killing at least six Israelis and wounding 12 during the past year, the IDF said.
But Issam Ramzy, who lives next door to Golmi's family a few hundred meters from Kiryat Arba, said Golmi's two older brothers, Nasser and Nidal, went to the civil administration building and insisted the body was not their brother's.
"They have not collected the body and are not burying it. It is the fifth time they have been asked to identify his body after an



Police forensic experts inspect the bodies of the Hamas terrorists killed near Hebron yesterday. (Reuters)

PA court jails Hamas members for first time

JON IMMANUEL

incident," Ramzy said last night. No one else has claimed the body, however.
Military sources said last night that while two bodies had been identified, "the third, that of Golmi, has not been identified beyond doubt."
Falah was also on the IDF's wanted list for killing Israelis. Natshe was not known before yesterday's shooting. Another wanted member of the cell, Hamad Yarmour, was not in the car.
Prime Minister and Defense Minister Yitzhak Rabin called (Continued on Page 2)

THE Palestinian Authority security court in Gaza for the first time convicted two Izzadin Kassam gunmen yesterday. Rayed Attar and Mohammed Abu Shamala received two-year sentences for weapons training without a license, said PA Attorney-General Khalid al-Qidrah.
The sentences were light compared with 15-25 years meted out to three Islamic Jihad members last week for killing and training youth to engage in suicide attacks. However, the charge is one that could cover almost any member of Izzadin Kassam, the armed wing of Hamas. It directly touches on PA

Chairman Yasser Arafat's demand that Hamas members turn in their guns for licensing by a May 11 deadline.
Hamas has refused to order Izzadin Kassam members to turn in their guns. More Islamic radical detainees were released from prison yesterday, bringing to 50 the number released since Friday and about 150 remaining in jail since the suicide bombings in Kfar Darom and Netzarim last week launched the latest PA crackdown.
Arafat yesterday said he would agree to a dis- (Continued on Page 2)

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NEWS IN BRIEF

Tel Aviv kiosk robbed
Two men robbed NIS 5,700 from a kiosk on Tel Aviv's Ben Gvirol Street yesterday.

Were you there in 1925?
The Hebrew University is trying to locate persons who attended its dedication in the amphitheater on Mount Scopus, 70 years ago.

Ammo seized from right-winger
Police confiscated IDF-issue ammunition during a search last week of the Hebron home of right-wing activist Shmuel Sitrit.

Hungarian synagogue defaced
The Jews of a rural Hungarian town found their synagogue defaced with swastikas and other Nazi symbols when they gathered for Pesach services on Saturday, news reports said yesterday.

Temple Mount group kept off site
Temple Mount Faithful leader Gershon Solomon was prevented from entering the Temple Mount yesterday, on grounds his presence there might provoke unrest, police said.

Teens knife each other
Two teenagers knifed each other outside a falafel stand in Jerusalem yesterday after getting into a quarrel, police said. One suffered serious wounds and the other was moderately hurt.

Winning cards
In yesterday's Mifal Hapais daily Chance card draw, the lucky cards were the ace of spades, king of hearts, king of diamonds, and jack of clubs.

Weizman will mark Nazi defeat in European visit

BATSHEVA TSUR
PRESIDENT Ezer Weizman will pay a four-day visit to Europe starting May 6 to participate in ceremonies marking the 50th anniversary of the victory over the Nazis.

TA judge postpones ruling on crocodile wrestling

LIAT COLLINS
A TEL AVIV judge is still deliberating whether or not to give crocodile wrestling the thumbs up. The Tel Aviv Magistrate's Court, which was expected to issue a ruling on the crocodile wrestling at Hamat Gader yesterday, postponed the verdict until the beginning of next week.

Jewish Agency official recalled from US for 'redefining' Zionism

BATSHEVA TSUR
THE head of the Jewish Agency's emissaries in North America, Judy Amit, has been recalled to clarify why she "redefined" Zionism.

can Jews should visit Israel, but did not have to live there to be considered Zionists.

technicians. But when the Jewish Agency sends aliyah emissaries, their job is to get people to make aliyah.

came from there in the past year, Gordon said - almost double the number a few years ago.

Closure criticized at Easter celebrations

HAIM SHAPIRO and news agencies
THOUSANDS of local Christians and pilgrims from abroad filled Jerusalem's Old City yesterday to mark Easter, and Palm Sunday according to the Orthodox Christian calendar.

ations would be allowed to do so. They organized buses to bring the worshippers to Jerusalem.



Greek Orthodox priests make way for Patriarch Diodoros I (center) during Easter Sunday mass at the Church of the Holy Sepulchre in Jerusalem's Old City. (Brian Head/AP)

Visiting circus attracts animal rights protesters

LIAT COLLINS
WHEN the circus came to town yesterday it attracted the attention of more than just vacationing children. Animal rights protesters from the Israeli Association for the Abolition of Vivisection, and Anonymous, a youth group involved with animal welfare issues, held a joint vigil outside the performances of the Mederano Circus in Tel Aviv.

Scores of demonstrators bearing placards comparing the circus to an "animal prison" handed out leaflets explaining why they consider it to be cruel.

Binyamin Wolman, one of the protesters. "There is a full and horrendous repertoire of tortures including withholding food, exposing the animal to the sun and chaining it up."

to country to different and unsuitable climates causes suffering," he said. Entrepreneur Moshe Yosef, responsible for bringing the circus here, was not convinced.

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Family's second baby dies of SIDS

A FOUR-MONTH-OLD baby died yesterday in Rishon LeZion of Sudden Infant Death Syndrome (SIDS), three years after her infant brother died in the same manner.

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Turks move on Kurd stronghold

TUNCELI, Turkey (Reuters) - About 25,000 Turkish troops, backed by assault helicopters, moved in on a Kurdish rebel stronghold in a rugged eastern province yesterday, military officials said.

Explosions from rockets fired by Super Cobra helicopters at Kurdistan Workers Party (PKK) positions in the remote Alibogazi ravine, in Tunceli province, could be heard 10 km away, villagers said by telephone.

More than 10,000 other troops in lorries and buses arrived in Tunceli yesterday afternoon and began fanning out towards Alibogazi, a 30-km gash in the mountains which cuts through Hozat and Cemisgezek districts.

"Hozat and Cemisgezek are completely surrounded and under our control. The PKK in the area will be taken dead or alive soon," a military official said.

The army began a large push against the rebels in Tunceli last month in parallel with its huge cross-border drive against PKK fighters into north Iraq.

A big winter offensive failed to oust the rebels from their mountain hideouts in the province, 580 km east of Ankara.

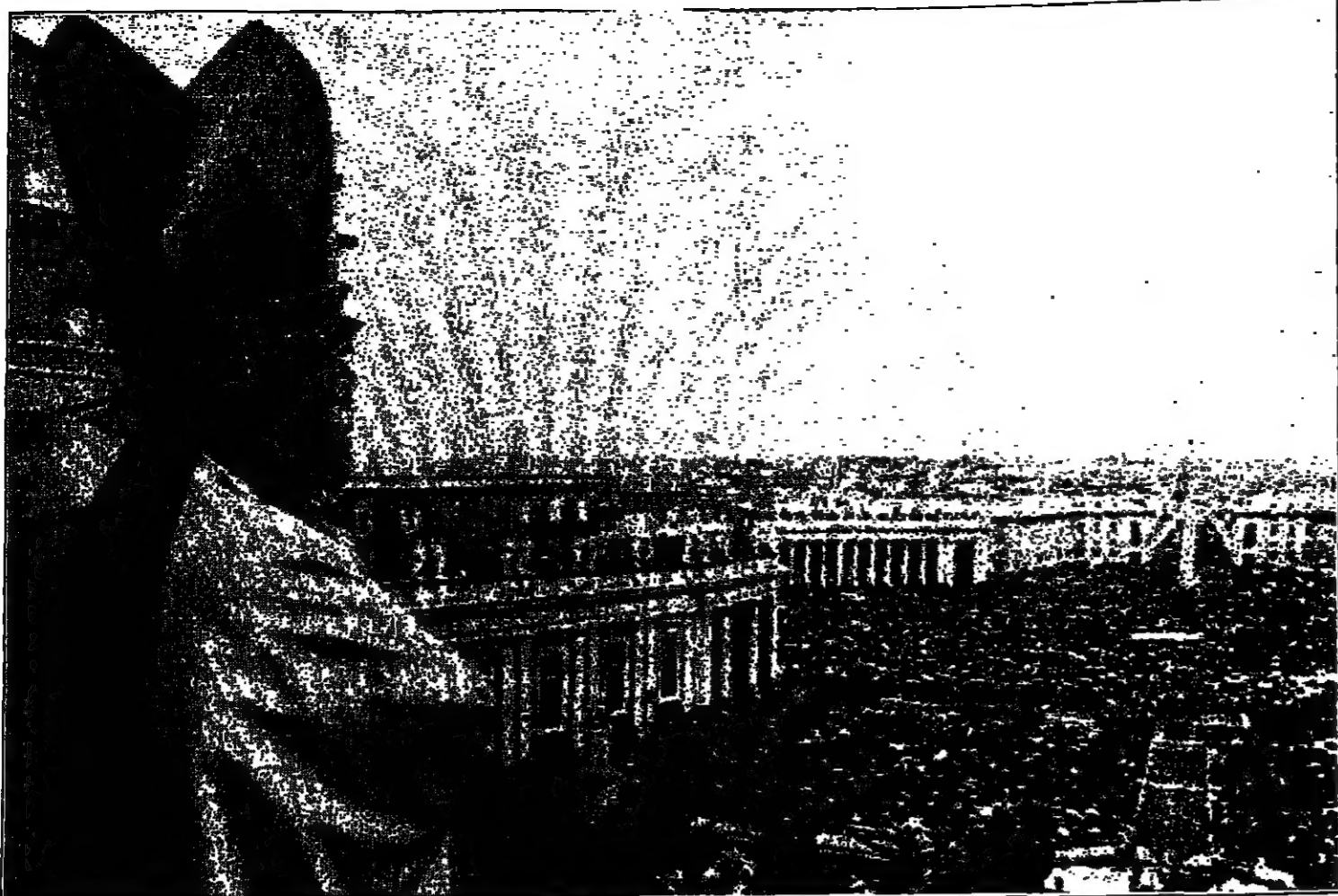
Military convoys poured into Tunceli yesterday along the main road linking it with Erzurum province to the north. The road was closed to civilian traffic.

Army sources said PKK regional commander Semdin Sakik, also known as "Fingerless Zeki" after losing a thumb while firing a rocket, was holed up in the ravine with 400 to 500 rebels.

"Once we get Sakik, one of the last PKK leaders holding out inside Turkey, the rest will surrender," an officer said.

The army has several times come close to capturing or killing Sakik, one of exiled PKK leader Abdullah Ocalan's most trusted commanders.

Anatolian news agency said Turkish troops had killed 18 rebels in their hunt for Kurdish guerrillas who ambushed an army unit near the border with Iraq.



Pope John Paul II watches over pilgrims and visitors from the balcony of St. Peter's Basilica in Rome after imparting the Urbi et Orbi blessing on Easter Sunday.

EU okays fishing deal with Canada

News agencies
OTTAWA

CANADA and the 15-nation European Union have averted a full-scale fish war over stocks in the North Atlantic by agreeing on fishing quotas and sweeping new enforcement measures, Canadian Fisheries Minister Brian Tobin said yesterday.

"We will now have a new mandatory enforcement regime which will apply to 100 percent of Canadian and EU fishing in areas regulated by NAFO (the North Atlantic Fisheries Organisation) outside of 200 miles," Tobin said.

"There is an agreement on all the issues," said Pierre de Bois-sieu, French ambassador to the EU, after a Brussels meeting of envoys from the 15 EU nations.

France, as holder of the EU rotating presidency, led negotiations to secure the new deal. The agreement settles the

share out of turbot caught in waters off Newfoundland and introduces strict new monitoring measures to stamp out overfishing.

Spain had blocked previous draft agreements, claiming its boats were not given enough turbot. But despite reservations, it went along with the deal.

"We are not satisfied," Spanish ambassador Javier Elorza said in an interview with AP-TV. "We wanted more, but it was the only possible agreement."

As part of the deal, Canada's attorney general said charges against the crew of the Spanish trawler *Estai* - seized on March 9 in international waters - should be dropped and the \$300,000 bond paid by its owner returned.

Elorza said the two countries wanted to put the incident be-

hind them. "We want to turn the page ... and cooperate with Canada."

Portugal strongly objected to the deal, but decided not to use its veto. Spain and Portugal are the only EU nations with substantial fishing interests in the turbot off Newfoundland.

The accord pulls the two sides back from the brink of a potentially violent new confrontation on the high seas, where warships from Spain and Canada have been taking up positions.

Under the settlement, Canada will get 10,000 tons from the total 1995 catch limit of 27,000 tons set by NAFO.

The deal skirts the contentious issue of the EU's quota by allowing the Union's boats to catch a further 5,013 tons for the rest of

this year - without stating how much turbot the EU has already caught since January.

Elorza said this would ensure EU boats get more than the 10,000-ton limit Canada had insisted on. He said Spanish and Portuguese boats would get 11,070 tons in total.

For next year, the two sides agreed to take 41 percent each of the total catch, leaving the rest for other NAFO nations.

EU and Canadian officials said they were confident NAFO members will consent to the share out and sign up for the new conservation measures.

The dispute flared when Canada seized the *Estai* claiming it was overfishing.

As relations soured over the past five weeks, the EU accused Canada of piracy and warned of economic sanctions, and Spain threatened to cut diplomatic links with its NATO ally.

Moslems break through Serb lines near Sarajevo

SARAJEVO (AP) - Government soldiers broke through Serb lines south of Sarajevo yesterday to seize territory on another strategic mountain and several villages, military reports said.

The latest reports of government advances came amid signs of disarray in the Bosnian Serb leadership as government troops chip away at Serb-held territory. Both sides are preparing for a resumption of heavy fighting as a failed four-month cease-fire agreement enters its last two weeks.

Tension has escalated throughout Bosnia and particularly in Sarajevo, where snipers killed two French peacekeepers on Friday and Saturday.

Bosnian Serb military sources in the northwest town of Sanski Most, where Bosnian Serb leaders gathered, said a government offensive early yesterday had broken through Serb defenses on the Treskavica range, about 30 km south of Sarajevo.

They said 14 Bosnian Serb soldiers were killed and several villages captured.

The goal of the offensive on Treskavica appeared to be seiz-

ing control of a strategic peak in advance of further attacks aimed toward the besieged government-held enclave of Gorazde, about 50 km to the east.

The Bosnian army refused official comment, but sources confirmed advances in the region. The sources said the Bosnian army had held the 2,086-meter Djokin Toranj peak, but that the peak had changed hands several times as forces withdrew due to bad weather. They said the Bosnian army moved back onto the mountain unopposed two days ago.

UN spokesman Lt. Col. Gary Coward reported Serb shelling around the government town of Konjic, about 30 kilometers (18 miles) to the west of Treskavica.

Bosnian Serb leader Radovan Karadzic charged in an interview in Sanski Most that the offensive showed the Moslem-led Bosnian government was more interested in fighting than negotiations.

"The international community should withdraw immediately any support for the Moslem side because supporting the Moslems means prolonging the war,"

Turkish Cypriots shock Denktash in poll

NICOSIA (AP) - Turkish Cypriots handed a surprise yesterday to the only president they have ever known, forcing him into a run-off election for the first time.

Final returns showed President Rauf Denktash, running as an independent, with 40 percent, less than the 50 percent needed to avoid a run-off next Saturday.

Dervis Eroglu, leader of the center-right National Unity Party, had 24 percent.

Eroglu hailed the results as an end to "one-man power."

The breakdown of the votes show the people's intention to stop Denktash," he added.

Denktash, 71, who is seeking a fifth term, said the results took him by surprise but he ruled out withdrawing from the race.

Only Turkey recognizes the state of northern Cyprus. The island was divided in 1974 when Turkish troops invaded to foil a

plot by Cypriots to seize control of the government and unify with Greece.

The southern part of the island is controlled by the Greek-speaking majority. Their government enjoys international recognition.

A UN peacekeeping force patrols a buffer zone between the Turkish and Greek sectors.

During the campaign Denktash's opponents criticized him for failing to reach an accord during UN-backed peace talks, deadlocked for more than a year. The UN and Western leaders also have been pressuring Denktash to be more accommodated.

But all candidates agree that any solution to the island's division must include a two-zone federation with the security of the Turkish Cypriots guaranteed by at least some Turkish military presence.

Turkey has an estimated 30,000 troops in the north.

Yeltsin returns from holiday to his problems

MOSCOW (Reuters) - Russian President Boris Yeltsin returned from an extended holiday yesterday to face military conflicts in Chechnya and Tajikistan, mounting frictions with Ukraine and a series of other problems at home and abroad.

His holiday, divided between the north Caucasus resort of Kislovodsk and Sochi on the Black Sea, lasted three weeks instead of the planned two.

He set the tone for his return in an interview with the official Tass news agency in which he touched on a wide range of problems with the exception of the most burning one - bloody conflict in separatist Chechnya.

Russian troops yesterday shelled the town of Barmut, the last lowland Chechen stronghold.

After taking Barmut, the Russians are expected to turn to the southern mountains where most of the rebels are concentrated.

Russia's military did little for Yeltsin's image last week when their capture of the town of Samashki triggered renewed accusations of atrocities.

The European Union said on Saturday it was deeply concerned by reports of human rights violations by Russian forces in Samashki and urged Moscow to end violence against civilians.

The conflict will overshadow celebrations in Moscow marking the 50th anniversary of the allied victory over Nazi Germany in World War Two on May 9. Dozens of world leaders are expected to attend, including US President Bill Clinton, who then stays

for a summit with Yeltsin.

When Yeltsin left for the holiday on March 27, he said he envisaged problems at the summit over Russia's plans to sell nuclear reactors to Iran.

But he told Tass he expected the summit to be fruitful.

Yeltsin warned opposition groups against using the V-E day ceremonies for "provocations".

The war in Chechnya is by far the most serious headache for Yeltsin, whose popularity is at a record low and who has yet to decide whether to run in presidential elections next year.

But problems are also mounting in the former Soviet republic of Tajikistan, where Russia runs the risk of opening a new war front reminiscent of the disastrous 10-year intervention in Afghanistan, where 13,000 Soviet soldiers died.

Yeltsin said on Friday he backed extra military aid to Tajikistan where Moscow forces are engaged in fighting with Afghan-based Islamic rebels and local rebels.

Another hot issue is Ukraine. Yeltsin said he would sign a much-delayed friendship treaty with Ukraine only after it solved a dispute with its autonomous region of ethnically Russian Crimea.

His remarks are likely to further complicate Moscow's relations with Ukraine, which last month outlawed Crimea's constitution, eliminated the post of regional president and made its government directly responsible to Kiev.

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Rabbi Yisrael Meir Lau, the Chief Rabbi of Israel

Guest Speaker: Rabbi Mordechai Alon

Entertainment: Adler Trio and Akiva Ben Horin

Co-chairmen: Mr. Cyril Stein and Mr. Noga Ben-David

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THE JERUSALEM POST

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The war against terror

THE elimination of a notorious terrorist band in Hebron yesterday was yet another example of the boldness, courage and intelligence which characterize the activity of Israel's special anti-terrorist units. But, as OC Central Command Ilan Biran said yesterday, this successful action was but a battle in an ongoing war. It is obviously important that the terrorists know they cannot kill Israelis with impunity, that sooner or later the long arm of the security forces will reach them.

But both the terrorist leaders and Israel know that the continuation of a terrorist war depends less on such successes than on the support such groups have in the population. If the gunmen cannot, to paraphrase Mao Zedong, operate freely in a supportive environment, they will not survive. Indeed, the fate of terrorism in this country is in the hands of its Arab inhabitants. As long as they support "the armed struggle," new cadres will rise to take the place of those apprehended or killed by Israel.

Following the suicide bombings in the Gaza District last week, Israelis hoped for the diminishment of this support. It was hoped, too, that Yasser Arafat would at last understand that unless he cracked down on the terrorists, there could be no implementation of the Oslo agreement. In the following days, the Palestinian Authority took some measures against members of the Hamas and Islamic Jihad. The PA courts even sentenced a few Jihad operatives to prison terms, and Arafat has reportedly rejected a truce offer by Hamas. Yesterday, he called on his followers to support the Oslo agreement. Clearly, he is concerned about the possibility that continued inaction would jeopardize the prospects of the PA receiving contributions from the donor countries.

Yet it is difficult to take these measures seriously as long as the PLO leadership treats the agreement with Israel as a stepping stone to something that has little to do with peace. A typical example of this attitude was provided by Freih Abu Meidein, the PA's minister of justice, who made headlines after the Gaza suicide bombings when he announced that members of the Islamic organizations would be disarmed. Speaking the day after the bombings at Al Azhar university in Gaza, he seemed to have neither peace nor disarmament on his mind.

"We won't weep if peace collapses, and we won't be alone to pay the price if it does," he said.

He also stressed, according to the two Jerusalem Arabic papers which reported on his lecture, that if Israel does not keep its pledge to guarantee Palestinian passage between Gaza and Jericho, appoint Palestinian police to guard the international borders, and withdraw from Arab population centers in the territories, it will be impossible to continue the peace process. He also charged that Prime Minister Yitzhak Rabin does not want peace and that "whoever believes in this man believes in water in a sieve."

Rabin is a Likud man, he said, speaking on behalf of the Labor Party which built the settlements [in Gaza].

The test of Israel's intentions, he concluded, will be in the settlements, the elections [for the Palestinian Council], and in the release of Palestinian prisoners. The proposed building of 5,600 housing units in the settlements, he said, is tantamount to a declaration of war.

Even more revealing about the PLO's attitude to Islamic terrorism was Abu Meidein's appeal to "the opposition" at the end of his talk. He asked "our brothers in the opposition" to give the process a chance. "If it fails," he said, "we are all in the same boat, and if we succeed, we are all in the same boat. Either we get what we want - a just and honorable peace - or we'll pay the heavy price the Palestinian people will have to pay."

Nowhere in the talk by a member of the Palestinian leadership is it possible to discern anything like moral outrage at the murders committed a day before, let alone a call to shun violence and an advocacy of genuine, lasting peace. Obviously, the only dispute between Arafat's men and the Islamic groups is over power and tactics. It is a dispute which may cause rifts and even violent clashes, but it will not change the PA's attitude to Israel. In the eyes of the PLO, as Abu Meidein put it, Israel is still the main enemy of the Palestinians - now and forever. And as long as this is what Arafat and his associates believe, their war against terrorism will be a sham.



A landscape for peace

HOW can countries which failed to keep the nuclear genie in the bottle at least keep it close to the bottle? This is the subject of the international conference which opens today to decide the fate of the Nuclear Non-Proliferation Treaty, first ratified in 1968.

If the Cold War threatened a global nuclear confrontation between the superpowers, at least it kept the weapons of mass destruction in relatively few hands. The post-Cold War disorder presents a different type of threat.

As nervous gazes shift to North Korea, Iraq and Iran, the possibilities of regional devastation and nuclear terrorism seem more immediate than they once did, especially when we are talking about non-democratic regimes.

Clearly, the nonconventional threat varies with the political landscape, and nonproliferation arrangements have to account for this.

The Middle East, host to more rogue states than any other region, birthplace and hotbed of Islamic fundamentalism, and home to Hamas, Hizbullah, Islamic Jihad, and numerous others terrorist organizations, is a unique case.

In this region where dictatorship, fundamentalism and terrorism hold sway, some countries have proven demonstrably lax in fulfilling their commitments under the NPT.

● Iraq, its signature on the treaty notwithstanding, embarked on a

GAD YAACOB

nuclear weapons development program that was interrupted only by Israel's attack on its Osirak nuclear reactor in 1981, the Gulf War 10 years later, and UN monitoring in the wake of the war.

● Iran, not satisfied with spreading Islamic revolution through "conventional terrorism" alone, is busy developing a nuclear arsenal.

Nuclear arms control should be addressed in the full context of the peace process

nal, despite its signature on the NPT. US and Israeli intelligence project that, even without outside help, Iran will have a nuclear bomb within five to 10 years.

In light of the above, attempts to force Israel to sign the NPT seem incongruous, especially considering its unqualified support for the principle of nonproliferation and for the indefinite and unconditional extension of the NPT. Israel has also consistently advocated the establishment (in due course) of a mutually verifiable nuclear weapon-free zone freely and directly negotiated, encompassing all states in the region.

ARMS CONTROL is supposed to enhance security, not encroach

on it, and Israel must assess its security situation honestly. It cannot ignore the fact that states like Iran, Iraq, and Libya still openly advocate the country's destruction.

The demand that Israel sign the NPT without taking this into account is nonsensical. Nuclear arms control cannot be addressed in a vacuum, without fundamental questions of war, peace and security first being addressed. Solutions will have to rest primarily on political accommodation.

Nuclear nonproliferation is best addressed in the full context of the peace process, in a logical, step-by-step approach.

First, the confidence that undergirds peace needs to be built. Then peace agreements that prove their durability over time must be established. Following this must come complementary conventional and nonconventional arms control arrangements. Finally, as the crowning achievement, a credible, mutually verifiable nuclear-weapon-free zone, encompassing all states in the region, may be negotiated.

There is no substitute for peace as the trust security. A nuclear-weapon-free zone in a peaceful Middle East is our best hope of ensuring that our children do not grow up with a nuclear sword of Damocles poised over their heads.

The writer is Israel's ambassador to the UN.

Survival story

PETER ROSSMAN

FIVE years ago, the Yugoslav daily newspaper *Borba* (Struggle) was a turgid Communist Party organ, generally considered the paper of choice only for wrapping *burek*, the greasy pastry popular throughout the southern Balkans. Today it's at the center of a fight for democracy within Serbia.

Following its privatization in 1990, the paper began winning thousands of new readers by running stories blacked-out in the official media.

But last December the government clamped down on *Borba*, the last independent daily newspaper in Serbia. On Christmas Eve, *Borba's* staff was evicted from its Belgrade office and prevented from publishing. And a pro-government edition of the paper was launched under the editorship of Serbia's minister of information.

This sparked a spontaneous demonstration, and the opposition trade-union confederation *Nezavisnost* (Independence), plunged into the campaign to keep the paper alive.

In January, the old *Borba* journalists traveled to Brussels, where they challenged international media, political and human-rights organizations to help sustain Serbia's free press.

With an emergency cash infusion from the European Union and contributions from interna-

Serbia's last independent newspaper fights for its life

tional trade-union organizations, a new edition of the paper was launched.

Now known as *Nasa Borba* (Our Struggle) - to distinguish itself from the official version - the paper has been published daily since February 1 out of the *Nezavisnost* office in Belgrade.

THE OBSTACLES to survival remain considerable. *Nasa Borba* sells for one dinar - three times the price of a government-subsidized paper in cash-strapped Serbia. Production is limited to a maximum of 20,000 copies of 16 to 24 pages. *Nasa Borba* is banned from kiosks, forcing its journalists to hawk it on the streets.

Several hundred staff members now crowd the small *Nezavisnost* office, working in shifts. When the journalists depart in late afternoon, the technical staff lays out the paper. Each evening, computer diskettes with the next day's edition on them are taken by car to printers in a town 150 kilometers away. (A trip of 300 kilometers a day is no easy feat in a country where the search for gasoline is a full-time profession.)

Barring outright repression, the survival of *Nasa Borba* ultimately depends on the availability of newspaper. Serbia's one functioning pulp plant can barely produce enough to meet the needs of the government press. Import permits are officially rationed and limited to a handful of companies that are government-controlled.

To continue printing, *Nasa Borba* needs access to foreign newsprint, but Serbia has been placed under an international economic embargo. In February the UN sanctions committee granted an exemption for the European Union's \$3 million cash contribution.

The money is earmarked primarily for newsprint. The exemption, however, is temporary. And, at the UN, Russia continues to block funds designated for independent media and human-rights initiatives in Serbia.

According to *Nasa Borba's* managing director, Branislav Canak, Slobodan Milosevic now has a free hand "to do whatever he likes in Serbia after being hired as a peacemaker." His view is widely echoed by domestic opponents of the Belgrade regime, who feel that they could well be sacrificed to a Bosnian deal on Serbian terms.

"Economic sanctions without political isolation of the regime are meaningless," Canak says. "If they insist on negotiating with this government, why not set minimal conditions, starting with democracy, press freedom, trade union and minority rights?"

(Washington Post)

LETTERS TO THE EDITOR

NASTY ARTICLE

Sir, - Leonard Short ("Ecological (non)sense," March 5), calls environmentalists "Green Mystics." Well, that is much milder than some of the things we have been called. He maintains that there is no proof that industry is doing any harm to the environment or to human beings. He denies the dangers of pesticide residues in our fruits, vegetables, milk and meat. He praises the "increased agricultural productivity" resulting from the use of artificial fertilizers and pesticides. Actually chemical pesticides do not increase crop yields in many situations and the residues from chemical fertilizers cause all kinds of problems including poisoning the water supply. He cites very low statistics for deaths from the use of pesticides, but does not cite the sources or context of those statistics. He even says that DDT should not have been banned because it does not cause cancer, as if cancer is the only illness caused by pesticides.

PHILIP J. BENTLEY
Floral Park, N.Y.

INTO THE CLOSET

Sir, - I was shocked and outraged at Michael H. Moshytz's letter of April 4 about the gay film festival. With the change of two words, it could well have been penned by an ardent Nazi (original or neo-) or the worst example of the lowest dregs of Southern American redneckdom. All one need do is substitute "Jewish" or "Negro" respectively, for "gay," and "like" or "nigger," respectively, for "queer."

Mr. Moshytz is "amazed" and "disgusted" at the gay film festival; I am amazed at disgusted at his spiteful venom. Clearly, he would have been happier living in the 16th century when the legal penalty for homosexuality in England was burning at the stake, or even in the 19th century when Oscar Wilde received two years' hard labor for this "deviant, aberrant tendency" and the judge, describing it as the worst offense he had ever heard of (worse, one would like to know, than the offense of Jack the Ripper?) only regretted that the penalty was so light. He is obviously not happy living in the present.

Mr. Moshytz clearly would like to see this variety of the normal range of human behavior driven back underground and into the closet. I would like to see his variety of bigoted, prejudiced and offensive lan-

guage expunged from the pages of my daily newspaper. I concede his right to have opinions which I find objectionable, but I would prefer that he keep such opinions in the closet with the mothballs where they belong, rather than publish them and thus support and strengthen the "flagrant display" of vicious verbal aggression.

I should perhaps add that I am a straight, married woman, or Mr. Moshytz and his like will draw erroneous conclusions about me.

CAROL EFRATI
Jerusalem.

NEW PHONES

Sir, - I refer to your article of March 31, informing readers that certain Jerusalem telephone numbers would be increased to seven digits as from April 4.

Your report states that "until now, seven-digit numbers have been used only in the Dan region." In the O4 area which covers a large part of the Western Galilee including Nahariya, Shlomi, Karmiel, Ma'alot, etc., all numbers that started with 8 or 9 have had 7 digits for over a year. Israel does exist north of Netanya!

SANDRA ROSEN
Nahariya.

NO ENEMIES OF PEACE

Sir, - Prime Minister Rabin and Foreign Minister Peres have stated on many occasions that they will make their own decisions with respect to the Palestinians and the Golan Heights and that Americans have no right to tell them what they should or should not do.

There is no doubt that Israelis must make their own decisions; however, that does not obviate the fact that concerned Americans have the right to convey their well-founded and reasoned views which are contrary to the positions of Rabin and Peres. We have even been called "enemies of peace" by members of the Rabin administration.

The two issues of the West Bank and the Golan Heights are so vital to the security of Israel that many of us have felt duty-bound to make our voices heard. Why should we not be able to convey these opinions without being accused of being "enemies of peace"?

WILLIAM K. LANGFAN
Palm Beach, Florida.

NON SEQUITUR

Sir, - In a reader's letter of April 4, Mr. Amayreh writes: "The truth of the matter is that the bulk of Arab and Moslem masses around the world see in the Islamist phenomenon their *masia*, even only hope for a better future. Therefore, the claim that fundamentalism poses a threat, actual or potential, to the Arabs cannot be taken seriously."

This is a blatant *non sequitur*. In 1993, the bulk of the German masses around the world saw in the Nazi phenomenon their main, even only hope for a better future. Perhaps Mr. Amayreh would care to read a little history to learn what followed.

TEDDY ARNOLD
Binyamina.

Yugoslavia: A warning

YOHANAN RAMATI

MOST Americans believe in justice, democracy, human rights and self-determination. But those who control State Department policy in the Balkans are more concerned with advancing the cause of Islam. Here's the evidence:

● The recognition of the fundamentalist Islamic regime of Alija Izetbegovic in Bosnia-Herzegovina, and US efforts to buttress its sovereignty in a "state" where Moslems are in the minority, were never settled on more than 25 percent of the land, and are fighting among themselves.

● The browbeating of Croatia, which has no common interests with the Izetbegovic regime, into agreeing to a Moslem-Croat Federation in Bosnia-Herzegovina - a federation unlikely to survive, but very likely to undermine stability in the region.

● The ignoring of evidence - even when provided by the UN force - that Serbs were not responsible for specific incidents like the "shell" that "landed" in the Sarajevo marketplace (it was an explosive charge placed on the ground - probably by Moslems) or the "destruction" of the Moslem quarters of Gorazde (in fact the Serb quarters were destroyed). Such incidents were then used as pretexts for military or economic punishment of the Serbs.

● The imposition of sanctions on Serbia and Montenegro for not complying with UN Resolution 757 after they had complied with it, while no sanctions were imposed on Croatia, which had not complied. The damage the sanctions caused to the economies of Greece, Russia, Ukraine, Hungary, Bulgaria, Romania and Serbia exceeds \$300., and may be the real goal of this US policy, as sanctions only strengthened the Milosevic regime in Serbia.

● The positive US attitude to Albania and its claims to the Kosovo province of Serbia, which is des-

tituting not only Serbia but also Macedonia (where there is a big Albanian minority), and is contrary to the interests of America's NATO ally, Greece.

The Izetbegovic regime in Bosnia is no democracy. When the Bosnian Moslem Party of Democratic Action chose its leader in 1990, the moderate businessman Fikret Abdic, who believes in co-

America's Balkan policy is pro-Moslem

operation with both Serbs and Croats, received 48 percent of the votes, compared with less than 39 percent cast for Izetbegovic. Abdic made the mistake of his life by deciding to stand down.

When Izetbegovic began to hound him and his supporters, Abdic returned to politics willy-nilly, allying himself with the Bosnian Serbs, and was able to retain the Bilac area of northwestern Bosnia, one of his main strongholds.

However, he found that the West preferred Izetbegovic's Islamic fanaticism to his moderation, and was even ready to ignore Iranian and Libyan aid to the regime in Sarajevo.

The US helped Izetbegovic expel Abdic from Bilac and tried to prevent Abdic and his allies from reconquering it.

This makes the US's public declarations that it regards Iran, Libya and Islamic fundamentalism as a major danger to the West less than believable. Neither country is subjected to pressures remotely comparable to those on Serbia. Nor is Syria, which harbors HQs of terrorist Islamic organizations, and controls Hizbullah operations in and from Lebanon.

A VISITOR to Serbia will find

most people living on starvation wages of \$150 to \$200 a month; he'll also find a flourishing black market, a fuel shortage, and plenty of hatred for Americans (including leaders of American Jewry whose support for Izetbegovic and the Croats is regarded as inexplicable, and odious in the light of Moslem and Croat murders of Jews during World War II). Israelis are still liked and welcome.

There is real freedom of expression, including the press. Fear of the secret services characteristic of communist regimes in Eastern Europe simply does not exist. One can criticize Milosevic mercilessly, and many do. Television and radio are guided by government policy, but this applies to foreign policy little more than it does in Israel or the US.

The damage caused by the sanctions has made the US unpopular in Russia, Ukraine, Serbia, Greece, Bulgaria and Romania. In the case of Greece, it has been compounded by US attempts to strengthen Albania, uncertainties concerning US policy towards Turkey, and fears that Bulgaria may be enticed into an alliance with Turkey and Greater Albania, virtually isolating Greece from the rest of Europe.

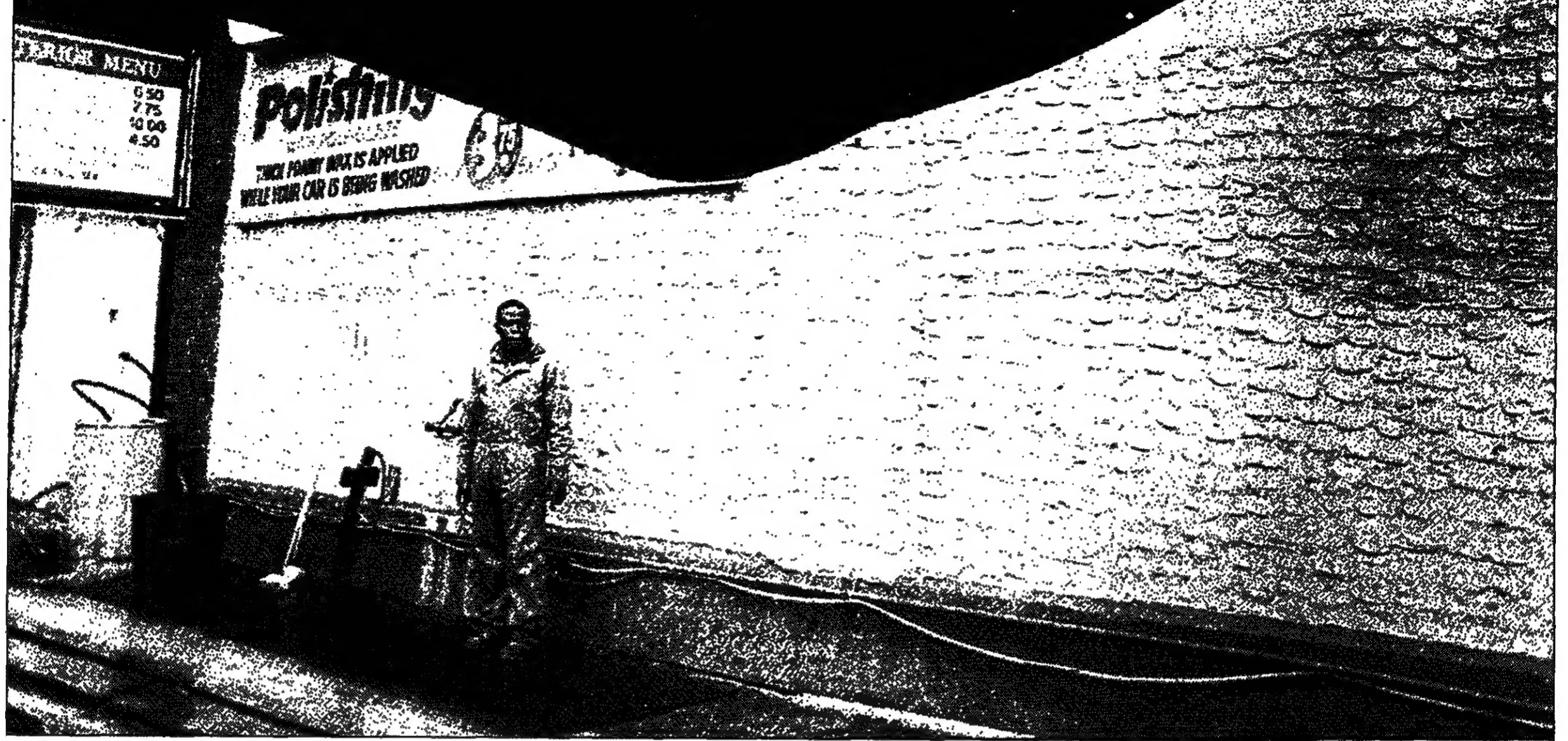
Thus US policy in the Balkans increases the dangers to Christian Europe and Western culture posed by a rapidly growing Moslem population of some 15 million. These dangers will be enhanced if an Islamic state survives in Bosnia.

This US policy doesn't stem just from stupidity and shortsightedness. It is being pursued too resolutely and ruthlessly for that. But it clearly serves neither democracy nor the real US national interest. To Israel, it is a warning: Treat a pro-Moslem State Department with reserve.

The writer is chairman of the Jerusalem Institute for Western Defense.

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Take This Job Up From Welfare: It's Harder and Harder



The economy can absorb more workers, but real wages for the less-educated are at their lowest in a quarter century. At a car wash on 47th Street in Manhattan, Kamalet Salio earns \$5.75 an hour.

By PETER T. KILBORN

WASHINGTON

THIS is America, so these things can still happen: A woman has a child in high school and spends the next decade on welfare. Then she gets training for a job as a cement mason and finds work molding the gutters and curbs of new highways. Today she earns \$50,000 and buzzes off to work in a black 1993 Saab turbo 9000. The woman is Gail McDougale, 37, whose son is now 19. From the public housing projects on the Chicago's South Side, Ms. McDougale has moved up to an apartment in Hyde Park and is saving to buy a house with a couple of apartments so she can make more money.

"You just have to want to go somewhere," Ms. McDougale explained. In the projects, she said, "I would look around and a whole day would pass. 'Oh Man! I haven't been anywhere.' Just sit around, wait for that check. Check comes, get on the State Street bus. Go downtown. Buy some shoes. Come back, enjoy your

shoes. The routine never changes. I was tired of not going somewhere."

Though they disagree about how much government should do to help individuals make the transition, President Clinton, the Republicans in Congress and many states are set on nudging, or pushing, many of the millions of adults on welfare into work and, eventually, self-sufficient lives. Under most scrutiny are the five million heads of households, mainly women, who receive cash benefits through Aid to Families with Dependent Children, the Government's principal welfare program. But smaller programs are being cut, too, like the general assistance that New York and 21 other states provide other adults, most of them single men.

Few of the people who may be prodded or dropped by the welfare system are likely to end up buying Saabs and apartment houses, however. Apart from the social conditions that mired many of them in poverty, powerful trends in the broader economy are making it harder and harder to make Ms. McDougale's great American leap into the middle class. For all but the most skilled or best educated new workers, wages and hours are the

The big American leap into the middle class is not made on \$225 a week.

stingiest since President Franklin D. Roosevelt created the welfare system.

"It is hopelessly unrealistic," said Katherine Newman, an anthropologist at Columbia University, "to expect that these welfare recipients will be absorbed into the low-wage labor market in the places where they live and would try to find work." In a study that Professor Newman is conducting in Harlem, she said, 14 people chase every new, \$4.25-an-hour fast food restaurant job. After looking for a year, 73 percent of them still don't have a job. "The market is already glutted with people who are better qualified than most

welfare recipients," she said.

Ms. McDougale became a mason only with the help of an advocacy group, Chicago Women in Trades, which steered her into a union apprenticeship program. She was admitted, said Shelley Davis, an officer of Chicago Women in Trades, in part because she was female and black—the beneficiary of Government-mandated affirmative action.

Now that avenue, too, could be closing. Unions represent just 11 percent of all private industry workers today, half the level of two decades ago, so they are training fewer workers. On top of that, the Republican Congress is training its guns on affirmative action.

In some ways, the labor market looks responsive to job seekers. Just as it absorbed the baby boomers and the flood tide of women who joined the labor force, it has shown a capacity to create jobs outside the cores of the big cities and in some rural areas. If a welfare recipient could go wherever the work is, "she could find a job by sunset," said Gary Burtless, a labor economist

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Springtime in Bosnia

Out of the Mud, Into the Morass

By ROGER COHEN

SARAJEVO, Bosnia and Herzegovina

BOSNIA is famous for its pervasive "glima," the cloying mud in which various armies and peoples have found themselves stuck over the centuries, giving rise to the hybrid society of vivid eyes and lively minds that lies in ruins today.

The latest hostage of the "glima" is the three-year-old Bosnian war itself, stuck in virtual stalemate and ever further from resolution. As the snow melts on the mountains around Sarajevo, and yet another fighting season begins, it seems clear that, as Bosnia's Prime Minister, Haris Silajdzic, said this month, the war could last another decade.

The four-month cease-fire that expires on April 30, which was hailed last December as a diplomatic accomplishment for its broker, Jimmy Carter, may now be seen for what it was—little more than a winter lull, more pronounced than in the previous years of the war but not decisively so. The logic of war never altered. The time was used, particularly by the improving Muslim-led Government forces, to regroup, acquire arms and get organized.

Indeed, of the many vacuous documents of the Bosnian war, none looks more dismal today than the "agreement on a complete cessation of hostilities" signed at the end of last year. In it, the Bosnian Government and the Serbs committed themselves to exchange prisoners, grant freedom of movement around Sarajevo, allow the interpositioning of the United Nations troops between the front lines and "refrain from the use of all explosive munitions."

None of these pledges was honored. That, after four years of broken promises and commitment by local politicians, United Nations and NATO, is not a surprising fact in the lands that used to make up Yugoslavia. But it does suggest the depths of the morass into which Bosnia has now plunged.

Does this morass matter? If it has achieved nothing else, the West has up to now succeeded in a policy of containment: the Bosnian war has not spread. But the



As snow melted this week on a mountain near Tuzla, Bosnian Serb soldiers prepared for new fighting.

conflict remains a threat and a burden. Already, it is the first surrogate war of the post-cold war era, with Russia quietly helping the Serbs, the Arab world increasingly helping the Muslims and the United States supporting the Muslim-Croat federation however it can. In an unstable Europe, the brew is dangerous.

But the West has virtually run out of options. It is not going to fight for Bosnia: that has been clear for a

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Canada. Zzzz. How to jazz up a dull land.

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Cashed Out Japanese giant quits La-La Land, wiser perhaps, poorer for sure.

By James Sterngold

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The Nation

An Antiwar Protester Comes Out of the Closet

By STANLEY KARNOW

"McNAMARA'S war," they dubbed America's long nightmare in Vietnam. But it was Presidents John F. Kennedy and Lyndon B. Johnson who shaped policy while Robert S. McNamara, their Defense Secretary, essentially carried out their decisions. Still, from 1961 until his departure seven years later, he was the chief promoter of the nation's deepening involvement in the struggle — the brisk former corporate executive whose maps, flip charts, graphs and statistics regularly promised light at the end of the tunnel. So, in a very real sense, it was "McNamara's war."

In a memoir published last week, Mr. McNamara delivers a scathing indictment of himself and his associates. "We were wrong, terribly wrong," he says, then catalogues the blunders and misperceptions that cost the lives of nearly 60,000 American troops and perhaps 4 million Vietnamese soldiers and civilians.

'Cynicism and Contempt'

He decided to write "In Retrospect," he says, because he had "grown sick at heart witnessing the cynicism and even contempt with which so many people view our political institutions." His purpose, he asserts, is "to put before the American people why their government and its leaders behaved as they did and what we may learn from the experience."

But if Mr. McNamara hopes to restore trust in government, he may spark precisely the opposite reaction. Reading his list of errors and deceptions, Americans would naturally be justified in wondering whether they are still being misled by their public figures — and, as a consequence, become even more skeptical.

Nor will his mea culpa, however sincere, arouse much sympathy from the families of the men killed or crippled in Vietnam. Indirectly, he also legitimizes the antiwar movement and even young men at the time like Bill Clinton who avoided the draft and who can now argue that they were correct to oppose a war that a Defense Secretary now disavows.

As Mr. McNamara himself acknowledges, he was gulled by the industrial concept that the larger investment the larger the yield. The United States pumped everything in its mighty arsenal into Vietnam except nuclear weapons — from supersonic aircraft to sophisticated technological gadgets. Mr. McNamara relied on the ever-increasing "body count" — the grim piles of enemy dead — as a measure of success. But it was all an illusion. Statistics, even accurate ones, do not auto-

Stanley Karnow, a former foreign correspondent and author of the 1983 book "Vietnam: A History" and other works, won the Pulitzer Prize for history in 1980.

matically translate into progress. The Communists were prepared to make limitless sacrifices for what they considered to be a sacred cause. In an interview in Hanoi in 1990, I asked General Vo Nguyen Giap, the Communist commander, how long he would have fought. "Ten, 20, 100 years, as long as it took to win — regardless of cost."

I first discerned a change in Mr. McNamara in February 1966 at the Honolulu conference, one of those periodic conclaves on the war held during the Johnson Administration. Most of his colleagues radiated confidence. He invited a few reporters up to his hotel room for a rare private briefing. His face was grayer and his patent leather hair thinner, and his voice lacked the authority it had when he projected his rosy appraisals in public. The sustained United States air offensive against North Vietnam launched exactly a year before by President Johnson had not succeeded, he told us — and would not. An agrarian society could not be blasted into submission, he said with unusual passion: "No amount of bombing can end the war."

In August 1967 he took the same line in closed congressional hearings. His testimony enraged the brass and braid. Worse yet, it infuriated President Johnson, who needed support from conservative Democrats like Senator John Stennis of Mississippi for his liberal Great Society programs. He was persuaded that Senator Robert F. Kennedy had been telling Mr. McNamara that the war was immoral and urging him to

McNamara's book offers a revisionist view of the war in Vietnam.

resign. Mr. Johnson also circulated the word that Mr. McNamara was suffering from a nervous breakdown.

Mr. McNamara says that to this day he has no idea "whether I quit or was fired." Harry McPherson, then a Johnson aide, recalled to me his amazement at Mr. McNamara's display of emotion at a farewell luncheon held by Secretary of State Dean Rusk in February 1968. "There were tears in his eyes as he spoke of the futility, the crushing futility, of the air war. The rest of us sat silently — I for one with my mouth open, listening to the Secretary of Defense talk that way about a campaign for which he had, ultimately, been responsible."

Like others, I repeatedly requested an interview following the war and was politely turned down. In 1991 we were at a conference in Japan when an American, a former antiwar campaigner, denounced him for having "blood on his hands." Visibly shaken, Mr. McNamara



In 1964, Secretary of Defense Robert S. McNamara addressed a rally in Hue, South Vietnam, promising full support to fight Communism. He now says he and others were "terribly wrong" about the war.

sputtered, "My God, I was wrong, I was wrong." I had never heard that tortured confession from him, and again suggested that he relate his story. He refused, but early the next morning he telephoned me and talked almost endlessly, again explaining his position.

As one who urged him to write his book, I feel obliged to commend him for it. But apart from his admission of guilt and a few brief glimpses into the inner workings of government, Mr. McNamara adds little to the vast bibliography of Vietnam literature.

He attributes America's ignorance of Vietnam during the 1950's to the hysterical McCarthy period purges of the State Department's Asia specialists. At the time, though, there were experts like Raymond B. Fosdick and Charlton Ogburn who dismissed as myth the conventional wisdom that Ho Chi Minh, the Vietnamese Communist leader, was Mao Zedong's surrogate. Information was available but, for various reasons, senior officials chose to disregard it.

Shoot-Out at Credibility Gap

Mr. McNamara deems it "highly probable" that President Kennedy would have pulled out of Vietnam had he lived, yet his judgment is sheer conjecture. Kennedy was ambivalent. Mr. McNamara regrets that Kennedy's advisers did not fully debate the option of abandoning Vietnam late in 1963, when President Ngo Dinh Diem's regime in South Vietnam was near collapse. Mr. McNamara himself publicly spurned the idea at the time, affirming, "We are winning the war."

Nothing frustrated Americans more — and eventu-

ally soured them on the war — than the glowing forecasts that contradicted the reality of a conflict that they could see was going nowhere. Mr. McNamara widened this credibility gap by exuding confidence in public and gloom in private. He told reporters in December 1963, for example, "I am optimistic as to the progress that can be made in the coming years," while advising President Johnson that the situation was "very disturbing [and] unless reversed in the next two or three months" could result in a Communist victory.

To his credit, Mr. McNamara is the only Vietnam-era official of his stature to accept responsibility for the debacle. By contrast, General William C. Westmoreland, the U.S. commander, and Mr. Johnson's special assistant, Walt W. Rostow, blame everyone else.

Mr. McNamara's tormented exercise closes with a tormented question: Should he have retired when he no longer agreed with Mr. Johnson's relentless policy of escalation? Dean Acheson, he recalls, quietly resigned as Under Secretary of the Treasury in protest against Franklin D. Roosevelt's monetary policy. "Roosevelt told him that he was the only official he had ever known to resign as the Constitution intended," Mr. McNamara writes. "I never forgot the lesson." But it was not a lesson he himself followed. He clung to Johnson despite their deep differences over Vietnam.

"I was loyal to him, and I sensed his equally strong feelings toward me," Mr. McNamara says. "Moreover, until the day I left I believed I could influence his decisions." It is scarcely a response that will console Americans who expect an official's primary loyalty to be to the nation.

Bang! You're Sued.

Guns Don't Kill, Gun Makers Do?

By BARRY MEIER

TWO years ago, Gian Luigi Ferri, a distraught businessman, walked into a San Francisco law firm and unleashed a hail of bullets from a rapid-fire pistol, killing seven people and wounding six others before committing suicide.

Now, in a decision with potentially far-reaching consequences for gun producers, a California judge has decided to let victims of Mr. Ferri's shooting spree turn the weapon of legal liability on the manufacturer of the assault-style gun he used. In his decision last week, Superior Court Judge James L. Warren ruled that those wounded in the assault and survivors of those killed could proceed with their claims against Navegar Inc., the Miami-based producer of a semi-automatic pistol known as the TEC-DC9.

The ruling, which turned on unusual circumstances, is far from a resolution of the case. But gun-control groups and others, who have been trying for decades to find some way to hold weapon manufacturers legally responsible for violence wrought with their products, have hailed the decision as a major breakthrough.

"This is the first court to recognize that if you are going to sell a sinister, assault-style weapon, you no longer can have total immunity," said Andrew Jay McClurg, a professor at the University of Arkansas School of Law who has written about gun producers' liability.

The ruling comes as House Republicans and others are trying to roll back both Federal and state gun-control laws that ban sales of assault-style weapons. Supporters of such efforts, as well as advocates of product liability reform, said the San Francisco court ruling

reaffirms their fears that gun-control advocates will try to use a judicial system intended to compensate those injured by products to effectively ban those they find offensive.

"What the plaintiffs are really doing in a case like this is trying to use the courts to legislate a product off the market," said Mark Behrens, a lawyer in Washington, who is lobbying for product liability reform.

Makers of products ranging from cars to lawn mowers to appliances have traditionally been held responsible for deaths or injuries on several legal grounds. The first standard is negligence — when a manufacturer produces or designs a product so carelessly that injury results from its use. Under a second standard, known as "strict liability," the nature of a product and its potential to cause accidental harm, rather than a producer's negligence, is at issue.

Courts have held gun manufacturers responsible in simple negligence cases, and store owners have also been successfully sued in cases in which they sold guns to people who were drunk.



The maker of the TEC-9, displayed in 1992 above, may be liable in shootings, a judge has ruled.

But for years, courts for the most part have rejected cases against gun producers based on strict liability.

Before last week, the exception to the norm was a Maryland case, which like the California case turned on a little-used variation of strict liability known as "ultra-hazardous activity." Ordinarily, that doctrine is applied to companies that make or use inherently dangerous products like dynamite or toxic chemicals. Such companies are typically held liable for any damage caused.

Look, Ma, No Fingerprints

In 1985, the Maryland Court of Appeals ruled that a supermarket clerk could bring suit against the producer and distributor of a cheap handgun — a "Saturday night special" — used to shoot him in the chest during a robbery. The court said the companies were effectively involved in an ultra-hazardous activity because they had reason to know that such weapons were largely used by criminals.

The Maryland Legislature, however, passed a law prohibiting such lawsuits against gun manufacturers (though a state board later banned the sale of Saturday night specials).

The ruling in California last week follows the Maryland rationale, with a difference: the California legislature banned the TEC-DC9 and several other assault-style weapons in 1989, four years before Mr. Ferri legally bought the murder weapon in a Las Vegas pawn shop and brought it into California.

Judge Warren pointed to that law in agreeing

with the plaintiffs that Navegar, the TEC-DC9's producer, should have known it was involved in an "ultra-hazardous activity" because the weapon was banned in California and its ads appeared to market the gun to criminals. In the ads, Navegar said the TEC-DC9 had "excellent resistance to fingerprints" and was "tough as your toughest customer."

The company denies that it intended its products for criminals. Ernest Getto, a lawyer for Navegar, said the manufacturer has decided not to appeal the ruling, but rather will seek to have the case dismissed before it goes to trial.

Dennis Henigan, a lawyer for the Center to Prevent Handgun Violence in Washington, which represented plaintiffs in the California case, said the group had no plans to apply the theories in that suit to more commonplace guns. "There is a fundamental distinction between an assault weapon that is designed to kill a lot of people and other products that have a legitimate use," he said.

But Richard Feldman, a spokesman for the American Shooting Sports Council, a gun makers' group in Atlanta, said the ruling could bring a "slippery slope" of liability for all manufacturers. He said the suit's arguments could be applied to, say, a maker of baseball bats.

Yet Peter Huber, a tort reform advocate at the Manhattan Institute for Policy Research, said he thought the California ruling would not have much impact on liability litigation because he expected it to be overturned.

"The large public policy issues here are best decided not by 12 jurors but at the political level," he said.

It's a Despicable Attitude. Good Thing It's All Around.

By MICHAEL WINES

IT'S been a tough month for cynics. First the speaker of the House, Newt Gingrich, raised sand about them 10 days ago in a broadcast speech marking his first three months in office. He savaged "the cynics in the press" and scoffed at "the skepticism, even cynicism of Washington beltway insiders." "Idealism is American," Mr. Gingrich advised viewers. "To be romantic is American. Don't be a cynic."

Not to be outdone, President Clinton flew to Georgia last week to memorialize Franklin D. Roosevelt, and devoted much of a speech to denouncing cynics. Mr. Clinton mourned "a country encrusted with cynicism" and noted tartly that in FDR's time, cynicism was "a luxury no one could afford." He wished aloud that Roosevelt were around today "to deride those who are cynical."

Back in the White House, he refused to board the no-new-taxes juggernaut, saying "a President runs the risk of breeding cynicism to sign that kind of pledge." Clearly, breeding cynicism is worse than breeding scorpions in kindergarten. It is a danger that people in high office know and are unafraid to point out, no matter what the political cost.

Still, such a barrage of round-house punches makes a body wonder who all these cynics are, anyway. It turns out that the cynicism so rampant today began with a capital C, born and nourished in Athens 24 centuries ago.

The First One

The first Cynic was the philosopher Antisthenes. From a gymnasium named Cynosarges (hence the name), he taught that virtue was life's only good, and that all Greeks except the Cynics were immoral and corrupt. To underscore the point, his successor, Diogenes, shunned his house to live in a big tub, and strode around Athens all day holding a lantern and looking for an honest man. He never found one, but of course, that was the point.

The legend of his carryings-on inspired Zeno to found the Stoics, who taught from a big porch, or stoa (hence the name). Stoics believed matters were more or less beyond their control, and might as well be accepted calmly.

Given such sour tenets, it is easy to see why cynicism has acquired such an aura of potent ugliness. Indeed, it is so potent that Mr. Gingrich advised Republican candidates in a 1990 strategy memo to associate opponents with the "C" word (along with words like "corrupt" and "bizarre") at every chance.

Streisand, Too

This may help explain why Barbara Streisand, in a recent speech at Harvard University, called the new Republican Congress cynical for opposing Federal funding for the arts. Or why Mr. Clinton, in Georgia, suggested that the Republicans are waging a cynical campaign to divide the country. Or why Republicans branded Democrats and Mr. Clinton as cynics for depicting their welfare legislation as a plot to deprive schoolchildren of lunch. Or why all of them, and scads more, blame the corrosion of the political process on a cynical press.

Cynicism is an enormous millstone for an opponent to wear. A committed cynic would argue that this is precisely why politicians are so fond of the term.

It is possible, too, that all of them are all right, and that American cynicism is truly destroying democracy as we know it. Certainly Diogenes' root conviction — that people can't be trusted — strikes at the underpinnings of modern politics. Zeno's belief that none of it matters anyway weighs down the superstructure. Both are deadly to a politician like Mr. Clinton, who rode in as the man from Hope. Or to Mr. Gingrich, who has silenced his campaign against a corrupt and immoral Congress to preach the gentler virtues of an Opportunity Society.

If that proves true, we are all lost. Not to worry, however; you can't believe anything you read in the papers these days. And even if it is true, there's nothing you can do about it.

مكتبة الأصيل

IN A PIZZA SHOP

The Nation

Up From Welfare: It's Harder and Harder

Continued from page 1

at the Brookings Institution. But many welfare mothers are tied to their turf by family and friends who help sustain them and by a lack of dependable transportation for commuting. Many are too disabled, or need Medicaid for their families, or cannot find affordable child care. Some are too unschooled in the culture of work to land or hold a job.

The version of welfare reform that has passed the House of Representatives, and is now before the Senate, would require states to push recipients into jobs more quickly and cut off benefits altogether when they have received cash benefits for five years. It provides no extra money for job training or child care, which President Clinton has called crucial gaps.

Cleaning and Serving

For those who can work, the larger issue is the quality of jobs they are most likely to have to take. These are the jobs taking orders in restaurants, giving meals and baths to the old and the infirm, cleaning hotel rooms and offices, washing cars and pumping gas, running sewing machines, picking fruits and vegetables and patrolling as security guards.

Some of these jobs pay little more than the Federal minimum wage of \$4.25 an hour; few pay more than \$8. The Labor Department says the lowest paid 10 percent of full time workers earn an average of \$225

a week. At those wages, people merely shift to the ranks of the working poor — still dependent on public assistance such as food stamps and subsidized housing.

And those are the people who get full-time jobs. Most low-wage jobs are temporary or part time. About 17 percent of the labor force works less than 30 hours a week. "It's very hard to find full time permanent employment," said LaDonna A. Pavetti, an

In Harlem, 14 people chase every \$4.25-an-hour fast-food job.

economist at the Urban Institute. "Nobody hires that way anymore."

Worse, the wages keep sinking. Because wages have fallen behind the rate of inflation, the average worker could buy 20 percent more with his earnings in 1972, the best year ever, than he can today. That's the average worker, someone with a high school diploma or some college. High school dropouts have seen big declines in real wages.

For women, the primary alternative to welfare is not a job but marriage. Of the women who get off welfare, 35 percent got married, the Department of Health and Human Services says, and 21 percent become ineligible because of their earnings.

The Low End Goes Lower

Real wages for the least-skilled workers have declined since 1979, making it harder than ever to work one's way out of poverty. Wages for those with more education and skills, in contrast, have risen, creating a widening gap in incomes. Figures for full-time year-round workers ages 25-64, corrected for inflation

	Yearly wages for MEN in 1992	CHANGE FROM '79	For WOMEN	CHANGE FROM '79
High-school dropout	\$21,620	-23.3%	\$14,944	-7.4%
High-school graduate	28,993	-17.0	20,372	+0.9
Some college	34,794	-7.3	24,695	+7.6
At least four years of college	50,331	+5.2	34,429	+19.1

Source: Bureau of Labor Statistics

The New York Times

But marriage is a less and less promising refuge. The wages of the men these women are most likely to marry — those with only high school diplomas or less — have fallen much more than women's, although men still make more than women on average.

For all that, many welfare recipients do try to make it by working. About a quarter

of the women on A.F.D.C. have worked within the last two years, the Department of Health and Human Services says. But two-thirds who do go to work return to the rolls within three years.

Working 30 hours a week in the jobs they typically get brings in about \$900 a month, without any health benefits. They pay about

\$200 for child care and \$100 for transportation, leaving \$600 for everything else.

Instead, at least in the current system, they could collect an average of \$373 a month from A.F.D.C., up to \$304 in food stamps for a family of three, free health care through Medicaid, and, often, assistance for housing, heat, and transportation. They do not need high school diplomas to divine which is the better deal.

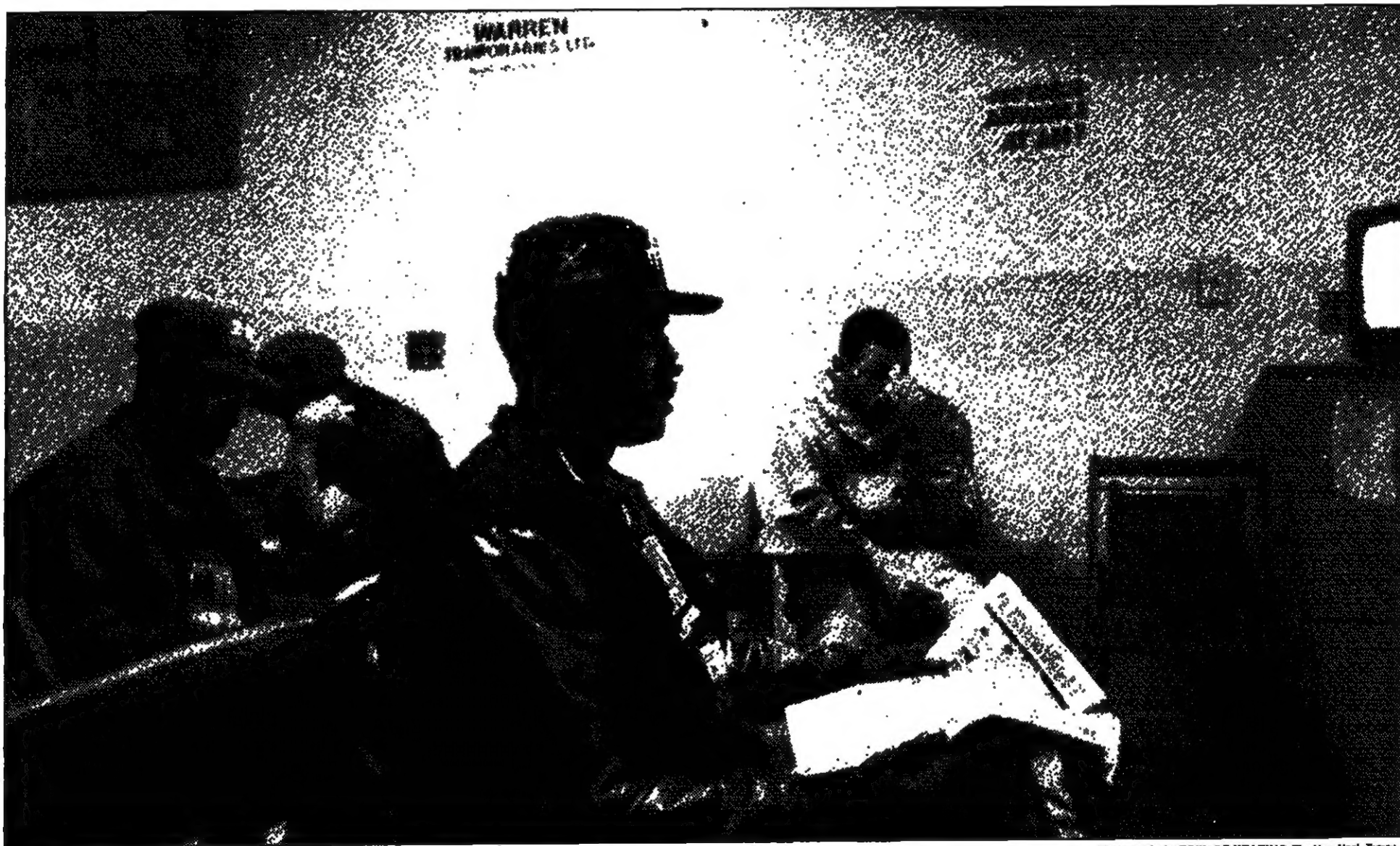
For many young welfare mothers, those who have never worked, salvation starts with training in the discipline and culture of work. With proliferation of jobs serving consumers — "jobs where you have to talk to somebody," Ms. Pavetti said — people need training in the soft skills of teamwork and getting along.

The Cost of Learning

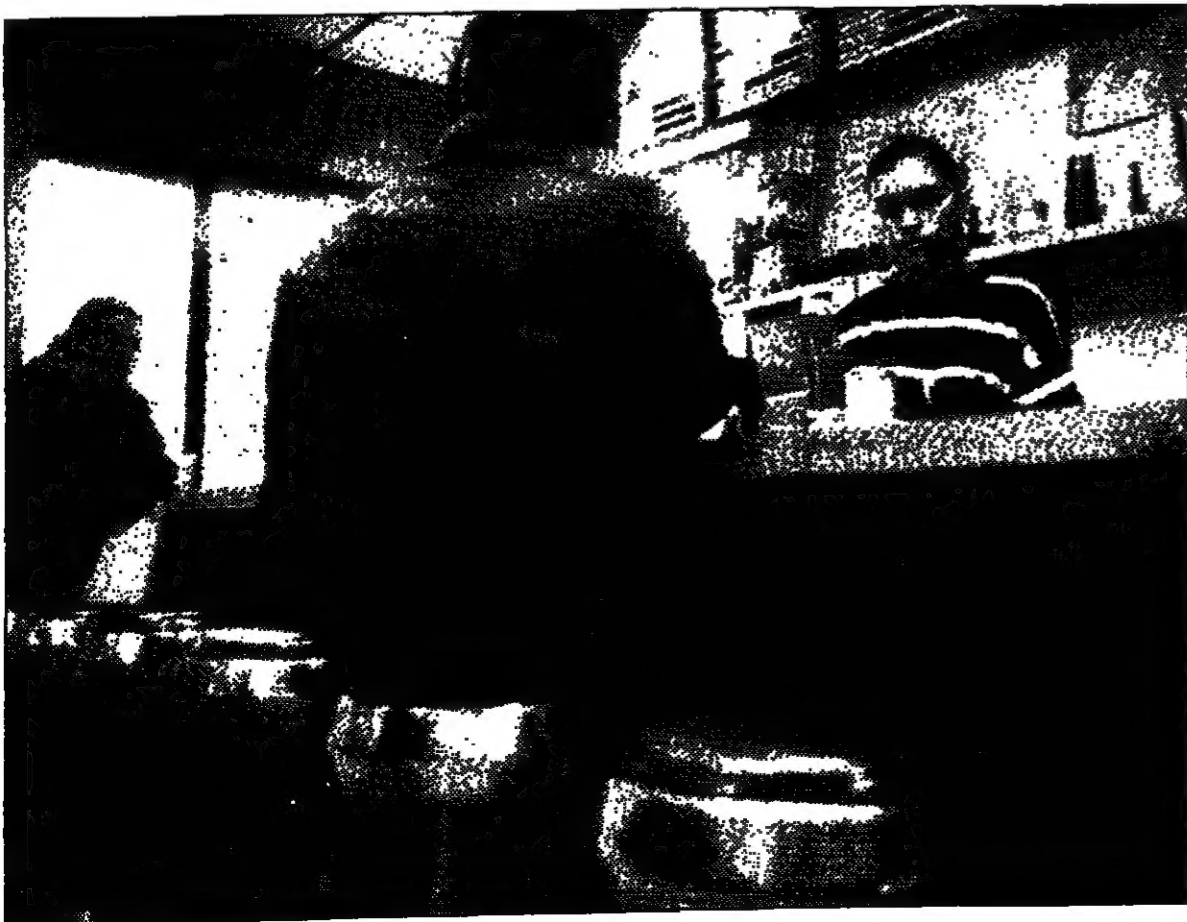
These days, it's hard to sell lawmakers on the costly training needed for jobs that pay the \$11 or \$12 an hour on which a parent can support a child or two without Government aid. The Government's record in job training is mixed in any case.

In today's political climate, said Judith Gueron, head of the Manpower Demonstration Research Corporation, which analyzes welfare experiments, "the challenge is not to lead people into better jobs." It's to make the jobs they can get more tolerable with help with child care or health care. As Ms. Gueron put it, "you can transform a low-wage job into a slightly better than low-wage job."

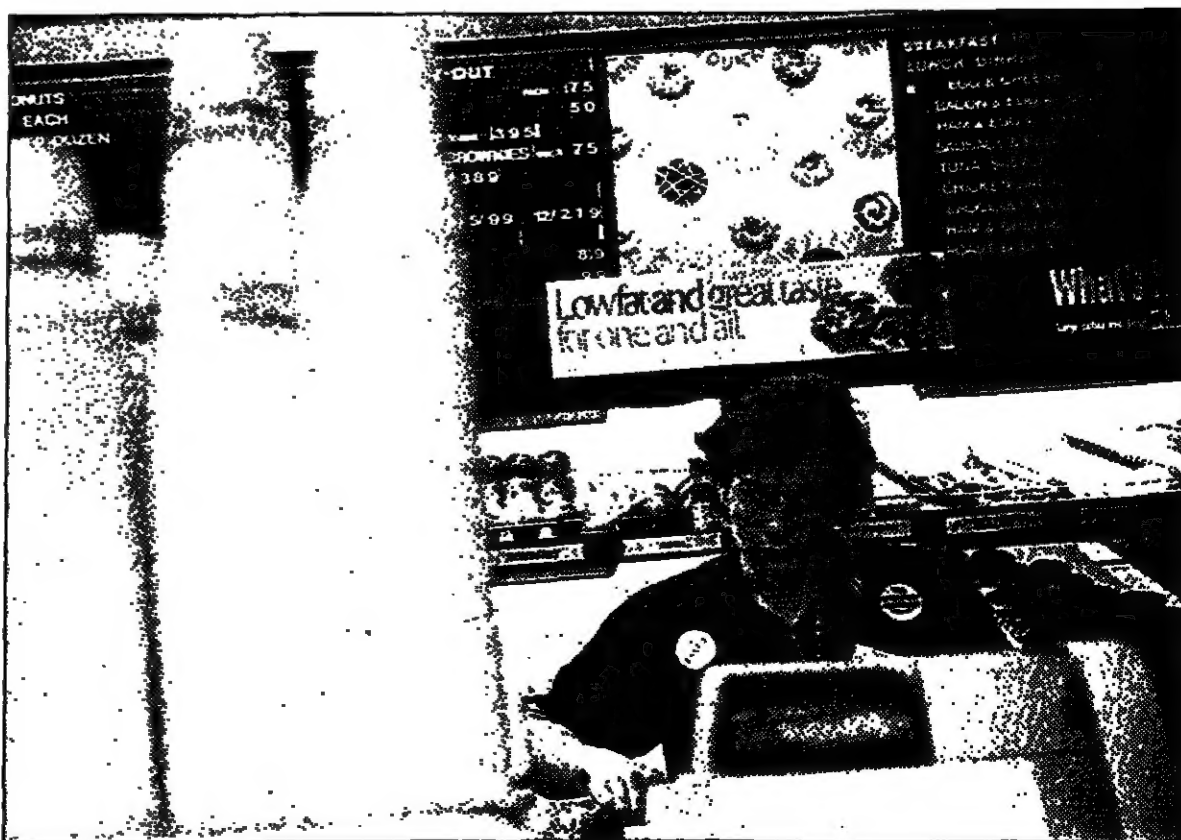
They're Working Hard for the Money



DAY JOBS, usually as a trucker's helper, pay Donnell Williams, center, \$6.00 an hour. He waits for assignments at a Manhattan temporary agency.



IN A PIZZA SHOP in Manhattan, Sandra Moncado works part-time for \$4.20 an hour.



WHAT DOES \$6.00 an hour buy? John Carrano, who works full time at the Dunkin' Donuts in Patchogue, L.I., said he was turned down for a Sears credit card. Mr. Carrano lives with his mother.

The World

Hollywood 1, Japanese 0

By JAMES STERNGOLD

LOS ANGELES
YOICHI MORISHITA, the president of the giant Matsushita Electric Industrial Company, finally ended a months-long silence last weekend and paid a chilly 35-minute visit to the Beverly Hills home of Lew Wasserman, the chairman of MCA Inc. With a minimum of small talk, Mr. Morishita confirmed to the legendary Hollywood chieftain that he had sold control of MCA to the Seagram Co. without consulting MCA's management.

With that, Mr. Morishita climbed back into his car, closed the door on this bitter chapter in both companies' histories, and jetted back to Japan nursing a big financial loss and memories of a failed strategy.

A Bitter End

Matsushita's flight from a business it had entered with great optimism just five years before marked a humiliating conclusion to the single largest investment a Japanese company has made in the United States; Matsushita had acquired MCA, an entertainment conglomerate that includes Universal Pictures, for \$5.6 billion and has now sold 80 percent for \$5.7 billion, suffering a big loss in terms of yen because the dollar is far weaker now than it was five years ago.

But perhaps the most telling aspect of the story was this: Each side effectively admitted that despite the high hopes, huge sums and time committed to the relationship, they had learned almost nothing about each other,

and were parting as strangers.

"They never really understood our business," said Sidney J. Sheinberg, MCA's president. "But the problems you had with this particular relationship were really about the changes they went through over the last several years."

When Matsushita made the investment it was flush with billions of dollars because Japan's economy was booming. It also believed (like its main rival, the Sony Corporation) that as a maker of hardware like audio and video tape players, it could overpower

Matsushita and MCA, after 5 years together, part as strangers.

less wealthy competitors by seizing control of the "software" that ran on the machines.

It was a disaster. Executives in Hollywood, it turned out, believed that the future lay in linking the software not with the boxes that played movies and music (which were freely available), but with electronic systems for distributing the software, like cable systems and television networks. When MCA's executives sought to acquire such a system (they tried to take part in a joint bid for CBS), Matsushita failed to agree that the move was necessary — and, in any event, Japan's economy had fallen into a steep recession that had left Matsushita weak.

The proposal was rejected, and the stage was set for last week's angry divorce. It was not because of the deep cultural differences that some had anticipated, but because of an unbridgeable chasm in business logic.

Getting It Wrong

"We thought they would bring the capital we needed to expand," said Mr. Sheinberg. "It turned out to have the opposite effect. We ended up with money in our pockets personally but none of the strategic advantages. They ended up with none of the strategic benefits and less money in their pockets."

In a way, he might have been talking about the increasingly awkward relationship between Japan and the United States. Matsushita's purchase of MCA had marked the crest of the greatest flood tide of capital to wash across the globe in history. From 1985 through 1990, a highly confident Japan invested more than \$650 billion abroad. Nearly half of that went to the United States.

On this side of the Pacific, the investments were often met with a fear that a resurgent Japan was undermining American economic independence. In Japan, they were seen as symbols of that country's strength and the superiority of its economic strategy. Cooler heads saw signs of the growing interdependence of two countries.

What we now know is that in a great many instances the Japanese investors paid way too much, often got fleeced, and rarely understood what they were in for. (It remains to be seen whether Seagram, a spirits company, does any better with its investment in



Japanese investment in American companies soared, starting in the 1980's. Under Matsushita, Universal made "Mr. Baseball," a box-office dud starring Tom Selleck.

the mercurial entertainment business.)

As a result of the number of bad investments, many Japanese companies are now taking flight. According to Kenneth Leventhal & Co., a real estate concern that tracks Japanese investment, Japanese companies sold off nearly \$5 billion of American real estate in 1994 and may sell as much as \$10 billion this year, much of it at steep losses.

Lessons

And while the investments entered the country with much hand-wringing and fear, many have left almost no visible marks on the American economic landscape, aside from making a few clever people rich.

"Will there be some lasting effect from all this?" asked Robert W. Dziubla, a lawyer here who has worked extensively with Japanese companies. "You bet, but it will be in Japan, not here."

However, a number of Japan experts warn that the investment debacle should not be seen as a long-term withdrawal of Japan from the international markets, or from the United States. "In retrospect it seems we blew the fears in this particular case way out of proportion," said Mark Mason, a professor at Yale University who studies Japanese overseas investments. "But there is legitimate cause for concern still, because Japanese multinationals do behave differently when they invest overseas."

"This is a short-term black eye for both the companies and the government," he added. "They both participated in a bad strategic decision. But in the long term I think they were right. Japanese industry has to move overseas. You can look at problems like these as tuition payments. I think they've learned quite a bit from all of this. At some point, we'll see how they apply those lessons."

Out of the Mud, Into the Morass

Continued from page 1

level war, with the United Nations trying its best to contain it, remains most likely.

This, at the best of times, is not a happy place for a general seeking a decisive battle. The very culture of Bosnia is lethargic. It is a place of reflection and fatalism, suspicious of the notion that action can produce change.

Its mountains, steep valleys, countless rivers and wooded terrain limit the ability of even a mountain army to maneuver fast. The "Blitzkrieg" swept through France, all right, but Hitler found it was of little use in Bosnia. And the armies here are far from modern. They are more inclined to dig trenches than attempt to thrust at the other's center of gravity.

"Neither army has the ability to concentrate resources and bring decisive force to bear on the enemy," said an American official in Bosnia. Logistics are difficult, and Western officials believe the Bosnian Army is only now beginning to appreciate the critical link that Napoleon pointed out

cessful in acquiring heavy artillery and tanks. The Serbs' ability to lob shells onto virtually any town they pleased was underscored last week by the shelling of Sarajevo and Gorazde, and the huge Serbian advantage in tanks still gives the Bosnian Serb commander, Gen. Ratko Mladic, the ability to wreak havoc in some areas.

What to Do?

But what can the Serbs achieve at this point? They already hold 70 percent of Bosnia and they are over-stretched. Vulnerable targets — like the eastern Muslim enclaves of Srebrenica, Zepa and Gorazde — exist, but the Serbs know such attacks could probably not be ignored by the United Nations and NATO, even though they are reluctant to get more involved in Bosnia. Equally, in Sarajevo, the Serbs can probe but they probably cannot pounce.

Moreover, the Serbs do not know what to do with the Muslim civilians in the enclaves. (For General Mladic, Sarajevo is one such "enclave.") They threw them in camps at the war's outset, or killed them, but that was amid a chaos and an absence of world scrutiny that no longer prevails.

As for the government, its army can make small gains, as it has recently, but a decisive victory — like taking the Posavina corridor linking Serb-held land in eastern and western Bosnia — is almost certainly beyond its powers.

The Bosnian Army's military objective — the "liberation of Bosnia" — remains nebulous and, as a result, unattainable. Just as the Muslim civilians of Bosnia will not disappear, neither will the Serbs. Some political accommodation is needed.

Lost Winter

But, if anything, the political stalemate is currently greater than the military deadlock. A winter of hope that began with a cease-fire turned into a lost winter. The Muslims and Serbs of Bosnia never even sat down to talk to each other. The international peace map — offering 51 percent of Bosnia for the Muslim-Croat Federation and 49 percent for the Serbs — is beginning to look like a tired joke.

"I don't think there is a solution to it," said an official in Washington. "It's becoming clear that the Bosnian war simply has to be managed. We have to try to keep the violence at a tolerable level. This approach does not come easy because we, as Americans, are used to solving problems. But this one is insoluble."



Bosnian soldiers slog from the front line.



between an army's performance and its stomach.

All this suggests that, despite the Bosnian Army's recent victory on Mount Vlasica in central Bosnia and its advances in the Tuzla area, a broad military stalemate will remain.

This does not mean that the Bosnian victory on Mount Vlasica, an important stretch of high ground from which the Serbs had long shelled Travnik at will, is insignificant. The army effectively combined artillery and infantry in a way that would have been unimaginable two years ago.

Moreover, the government offensives around Travnik and Tuzla were simultaneous, suggesting the Bosnian Army has at last learned that the Serbian manpower shortage is best exploited by attacking on at least two fronts at once. American analysts believe the Bosnian Army has 130,000 to 150,000 men to the Serbs' 85,000.

These government soldiers have achieved a remarkable transformation, from the collection of amateurs they were in 1992 to the coherent force that the Serbs clearly have to take seriously.

Through domestic arms production in places like Bugojno and Travnik, and strong financial support from Muslim countries including Malaysia and Saudi Arabia, and clandestine arms imports from central Europe and Iran, the Bosnian Army has partly overcome the effects of an international arms embargo that initially gave an overwhelming advantage to Serbs.

The Western analysts believe that the government forces have been far less suc-



National Pride

O Canada. Oh, Canada. Oh...

By MICHAEL T. KAUFMAN

WHY is Canada dry? How come this huge, beautiful land of largely decent folk has acquired an unshakable reputation for being boring? No matter what policies are pursued in Ottawa, no matter what our good northern neighbors may do, here in the United States, here in the bellybutton of universal consciousness, here, where media mavens determine what matters and what does not, Canadian news generally gets less than long shrift.

This spring it appeared that one bit of Canadian news might break into the consciousness of the United States: Would the conflict between Canada and Spain over north Atlantic fishing escalate? Would there be open hostility? Well, as is usual in Canada, diplomacy prevailed over swagger. The world yawned. Remember, Canada is still the place where Quebec keeps talking about breaking away, where politicians grow old debating how they might come up with a national constitution.

Having spent two years in Ottawa trying to persuade editors to give me space for such stories, I know how hard it is to stimulate interest in a country full of quirky people and quirky pastimes.

Baby Seals and Hockey

They have smart and quirky writers like Robertson Davies and Margaret Atwood. They have a game, curling, where people sweep ice with brooms. They have had politicians, like Pierre Trudeau, who could outswing and out-zen Jerry Brown. They have comprehensive medical care, a high level of egalitarianism, two official languages and great beer. They used to have people who bashed baby seals and they still breed hockey players. Great air masses come from Canada. And you know what? None of this gets more than a hohum or a patronizing nod on our side of the world's longest undefended border.

The closest thing to an index of America's disdain for Canada may be the drooping Nielsen ratings of the World Series every time Toronto plays. In 1991, the Atlanta-Minnesota series got a 23.9 Nielsen rating. In 1992, when Toronto played Atlanta, the rating dropped to 20.2. In 1993, when the Toronto faced Philadelphia, they sank to 17.3, the second lowest mark ever.

In the years I lived in Canada I thought a lot about boredom. I had a lot of time. Instead of writing a series on how Canadian immigration differs from our own, I sat around eating beavertails, fried dough sprinkled with cinnamon, and speculated on what Canadians might do to force their fellow Americans to pay attention to them.

Impressed by the admirable modesty of my neighbors and seeking to emulate their standards of civilized discourse, I kept my thoughts to myself. But now that I have been out of Canada for almost a decade, now that I find myself influenced by the ethos of late-night television and talk radio, which holds that any pipsqueak can advise sovereign states and even continents, I am going public with my recommendations.

1) Canada should develop a sexy national dance. Look what the samba has done for Brazil and the tango for Argentina. Maybe the dance could be called the candu. Remember, it was Guy Lombardo and his Royal Canadians who glamorized New Year's Eve.

2) Canada should sponsor a referendum to determine whether the world favors the "peace, order and good government" that the Canadian national charter upholds or "life, liberty and the pursuit of happiness," as offered by the United States.

3) Homecoming Day. Canada should invite all of its native sons and daughters who are working abroad to come home on the same day. Peter Jennings, Robert MacNeil, Paul Anka, Dan Ackroyd, Rich Little, K.D. Lang, Neil Young, Oscar Peterson, Anne Murray, Donald Sutherland, Joni Mitchell, Leonard Cohen and Paul Shaffer would all be called back. The

ensuing brownout in comedy, music, television and movie production in the United States would inspire respect for the land between Niagara Falls and the North Pole.

The War Against the States

4) Finally, the Canadians should dust off and reconsider their war plans against the United States, dreamed up in 1921 by Col. James Sutherland Brown. After posing as a tourist on undercover reconnaissance trips by car through New York and New England, Colonel Sutherland Brown, who was the director of military operations and intelligence in Canada's Department of National Defense in Ottawa, drew up a top secret document that called for the seizure of United States territory.

Colonel Sutherland Brown concluded that the only immediate danger to Canada was from the United States, and that Canada could best defend itself by making lightning thrusts across the border and taking over vital railheads such as one described "as the Albany salient." The colonel set up regional commands. The Pacific command was to occupy Spokane, Seattle and Portland. The prairie command would take Fargo and then Minneapolis. The seizure of Albany and the Adirondacks was delegated to the Quebec command while the maritime unit was charged with taking Maine.

Defense Scheme No. 1, as the plan was named, remained Canada's official strategic plan throughout the 1920's and was kept in the safes of the all Canadian military installations. But the whole thing pretty much collapsed in armistice. Throughout World War II and into the Cold War, Canada and the United States were the best of allies.

But what about now? Say that word were to leak out that some parliamentary committee in Ottawa or some university panel in Toronto was reviewing Defense Scheme No. 1, with an eye to seeing what might still apply. Well, wouldn't that make the United States sit up and take notice?

Betting the Farm On Company Stock

By ADAM BRYANT

SOMEWHERE not far below moth-eaten and apple pie on the roll call of all-American virtues is employee stock ownership.

It is, after all, a kind of marriage of democracy and capitalism. Give employees a stake in their company, the logic goes, and they will work harder, thereby increasing productivity, driving the stock price up and making themselves, and outside shareholders, richer. And some evidence suggests that this thesis is broadly true.

But there is a flip side. As more companies lavish more stock on their employees, some analysts worry the trend may lead to a dangerous financial overdependence. They are concerned that a significant number of corporations allow their employees no other investment option at all in their retirement plans. And even when companies exhibit what seems like pure generosity, selling stock at a discount to employees or awarding them options to purchase securities at below-market prices, experts fear that some of the beneficiaries will be lulled into a false sense of security that can be dashed if the share price collapses.

The growth in employee stock ownership has been sharp. The National Center for Employee Ownership in Oakland, Calif., estimates that the proportion of the equity of American corporations in the hands of their own employees has almost tripled, to about 6 percent, or \$350 billion, today from just 2 percent a decade ago.

According to a new study by two Rutgers University professors, the equity that employees own in their own corporations through defined contribution plans nearly tripled in the 1980's. The study, and another one conducted recently by Hewitt Associates,

also showed that in a significant number of cases, workers have their own company's stock as their only investment choice through their 401(k) plans or similar savings programs that allow workers to put in their own money for retirement.

As a result, many employees may have most or all of their assets tied up in their house, company stock and little else. And such concentration flies in the face of commonly held wisdom about the importance of investment diversification. The greatest risk, of course, is that if a company falters, employees would lose both their current livelihood and much of their savings.

"There is no question that one of the basic principles is to not put all your eggs in one basket," said Lewis Altshuler, who runs his own financial planning firm in Manhattan. "As good as a company is, it is just one company and it is subject to many forces."

You can hardly blame companies for pushing their own stock. As shareholders, employees provide a source of patient, long-term and interested capital. And given the weakness of the labor movement, they are in less of a position to tell management what to do. So, instead of being the boss's biggest adversary, labor can act as an important ally against hostile takeovers and even against the big institutional investors who act up if management displeases them.

Still, many financial experts find it perplexing that some employees keep their money in their companies' stock even when they have a choice of investments.

The Idaho Power Company is a good example. From 1974 to 1991, it offered its stock as the only investment option to its employees. By the end of that period, nearly all of the \$78 million in assets in its 401(k) plan was invested in Idaho Power stock.

But starting in 1992, in part because the company received anonymous complaints from its employees in company suggestion

Placing Their Future With Their Company

Employee (401)k retirement plans with the largest holdings of their own company's stock at the end of 1991, the most recent year with complete data. Lists do not include employee stock ownership plans. These lists are for separate retirement plans at companies; some companies have more than one plan.

LARGEST CASH STAKES

Company	Pension plan holdings in employer's stock (millions)	% of pension plan in employer stock
General Electric Co.	\$2,595.6	34.2%
Sears Roebuck & Co.	2,510.1	40.7
Abbott Laboratories	2,058.3	92.7
Rockwell International Corp.	1,663.6	68.9
Amoco Corp.	1,554.9	63.7
Pacific Gas and Electric Co.	1,239.1	93.2
Nynex Corp.	1,069.2	44.4
Coca-Cola Co.	877.8	89.0
PPG Industries	769.9	55.2
Nynex Corp.	711.7	58.6
Phillips Petroleum Co.	690.3	58.0
Lockheed Corp.	677.3	22.6
Pacific Telesis Group	534.7	41.9
Southwestern Bell Corp.	513.4	70.0
E. I. du Pont de Nemours & Co.	511.2	9.3

Source: Labor Department data analyzed by Rutgers University School of Management and Labor Relations

LARGEST PERCENTAGE COMMITMENT

Company	Pension plan holdings in employer's stock (millions)	% of pension plan in employer stock
Betz Laboratories	\$ 4.0	99.9%
Tandycrafts Inc.	3.9	99.9
Idaho Power Co.	77.7	99.5
American General Corp.	31.5	99.4
Modine Manufacturing Co.	4.2	99.4
Modine Manufacturing Co.	29.8	99.3
Questar Corp.	87.9	98.6
Modine Manufacturing Co.	2.2	98.2
Inter-Regional Finance Group	55.0	98.0
Atlanta Gas Light Co.	64.7	97.9
Huntington Bancshares Inc.	80.1	97.8
Archer Daniels Midland Co.	187.5	97.5
Duke Power Co. and subsidiaries	5	97.5
Toro Co.	3.5	96.9
Union Oil Co. of California	327.7	96.7

boxes, the utility offered a raft of other investment options, and spent \$200,000 a year to administer the broader plan and educate workers about the virtues of a diversified portfolio.

Three years later, 90 percent of the plan's \$110 million in assets are still invested in Idaho Power stock as employees have continued to funnel 55 percent of their contributions into it. And when the stock slumped 20 percent last year, many employees saw the setback as an opportunity to load up on more stock rather than take the hint to diversify.

All of which has left Greg Johnsen, the plan's administrator, somewhat bemused. He said some employees have told him they would never advise a relative to be so heavily weighted in one stock, but they do not practice what they preach.

"It's an emotional issue for a lot of employees," Mr. Johnsen said. "Logic flies out the window."

Employees at some companies have spotted the danger. In 1991, workers at Pacific Gas and Electric were such fans of the company's stock they had more than 93 percent of their 401(k) dollars invested in it, even though they had other choices. When the stock began its descent last year from \$38 to less than \$25, many diversified their contributions, and as of last year, only 59 percent of the plan's assets were in company stock.

Even so, many employees remain heavily invested in Pacific Gas stock. Robert J. Fratini, a sales director who has worked for Pacific Gas for 20 years, said that close to 70 percent of his investments are in company stock. He said the concentration "is a concern of mine," but he has no plans to change.

"I'm a third generation P.G. & E. employee," he said. "I believe in the company, what it's doing, what it's trying to do. I'll see this thing through until I retire."

As an employee with a big stake in his company, Mr. Fratini appears to have lots of company. The Rutgers findings, compiled from 1991 Department of Labor data by Douglas L. Kruse and Joseph R. Blasi, professors of management and labor relations, showed that an average of 17 percent of assets in company-sponsored, defined-contribution plans were tied up in the company's stock. Their study also showed that a total of about 4,000 contribution plans had \$105.5 billion invested in employer securities, up from \$30 billion invested through 2,763 plans in 1980, a rise that easily kept pace with the 229 percent leap in the Dow Jones Industrial Average for the period. In many plans such as Idaho Power's, the data also show, the concentration of retirement-plan assets in employer stock is close to 100 percent. "This is far less diversification than anyone ever expected to find," said Mr. Blasi. "We have missed this huge elephant under our noses."

The Rutgers findings were supported by a recent survey by Hewitt Associates, a benefits consulting firm based in Lincolnshire, Ill., which found that of the 1,034 companies it surveyed last year, 30 had their own stock as their only 401(k) investment option for employees.

Judith A. Lindquist, a Hewitt principal and managing consultant, said that such plans are better than nothing. But she said she is concerned that a company that offers stock as its only option "isn't balancing its goals of promoting employee ownership with employees' needs for developing long-term financial security."

The growth in the ties that bind employees to employers adds a new dimension to the prediction made two decades by Peter Drucker, the management guru, of the rise of "pension-fund socialism." He suggested that a growing portion of corporate America would be in the hands of pension funds, and described the trend as the "revolution that no one noticed."

And no one is suggesting that turning mere employees into partners-in-capitalism is all bad. Some studies show that companies with large blocks of stock in employees' hands perform better than companies without such ownership, particularly if those companies use various techniques to involve workers more in decisions.

One indicator is an index of stock performance of about 360 public companies where employees own at least 10 percent of the outstanding shares. Since 1991, the index has outperformed other popular indexes such as the S&P 500 and Dow Jones Industrial Average by about 10 percent.

American Capital Strategies, an investment bank in Bethesda, Md., that compiles the index, does not suggest that companies perform well just because of their significant employee stakes. "But we do think that employee ownership does indeed improve performance compared to similar companies without employee ownership," said Malon Wilkus, president of the firm.

"And theoretically," he added, "it makes a lot of sense that people who are owners are more likely to work harder, smarter and more efficiently than people who aren't."

Many companies that place all their employees' retirement contributions in their own stock trumpet a similar logic. At Modine Manufacturing of Racine, Wis., which makes radiators for vehicles and other heat-transfer products, the company's stock is the only option for retirement programs for its 5,000 workers in the United States. About half the company's outstanding shares are owned by employees, former employees and their relatives.

"This strong link between the fortunes of our company and its managers and employees," the company's managers wrote in last year's annual report, "is a major factor behind Modine's success."

James C. Barton, a 25-year-old die-setter for Modine, said he approaches his job differently because of the \$11,000 he has invested in Modine stock.

"It gives added incentive," he said. "I view my job as actually playing a role in the company rather than being someone who just shows up and punches in."

But others disagree that such a link between employee ownership and performance, if it exists, counts for much at large companies. Gregg A. Jarrell, a professor of finance and economics at the University of Rochester, said that employee-ownership programs benefit boards of directors more than employees.

While management reaps the benefit of a large friendly block of shareholders, workers are encouraged to build a poorly diversified portfolio of investments. "As a group, you've made them bear a lot of financial risk that they have not been compensated for," he said.

Even when companies are generous about the price they set on the stock, in part to offset the increased risk, Mr. Jarrell argues employees would be better off with more diversified options. "When you pay employees in an inefficient manner, at some level, it is a source of waste," he said.

And employees can't always help them-

selves when they are presented with strong inducements to buy the stock. One of the most spectacular cautionary tales was People Express, the high-flying airline that went under in 1986.

From the company's first days in 1981, employees were required to buy stock, at least 100 shares for most employees and a minimum of 200 shares for pilots. But workers bought much more, and controlled an average of 40 percent of the carrier's stock. Managers, encouraged the trend, offering discounted stock every six months to workers that helped raise a total of \$40 million for People Express.

When the stock was performing well, reaching a high of \$52 per share after opening at \$8, many employees owned between \$200,000 and \$300,000 worth of shares. It was an impressive nest egg that compensated for their low salaries, which never ranged higher than \$48,000, even for top executives. But those who held on to their stock were less fortunate. The airline was ultimately bought in 1988 by Texas Air Corporation (later Continental Airlines), which traded employees some new stock at a steep discount. But that too ultimately proved worthless when Continental filed for bankruptcy.

One former pilot and his family invested more than \$70,000 in savings in People Express stock and lost almost all of it, digging themselves a hole they are still trying to climb out of nine years later. "We'll be financially crippled for the rest of our lives," the employee, who asked not to be identified, said.

Donald C. Burr, the founder of the airline, defended the practice in a recent interview. "I believe very strongly in putting all your eggs in one basket and making that basket grow," he said.

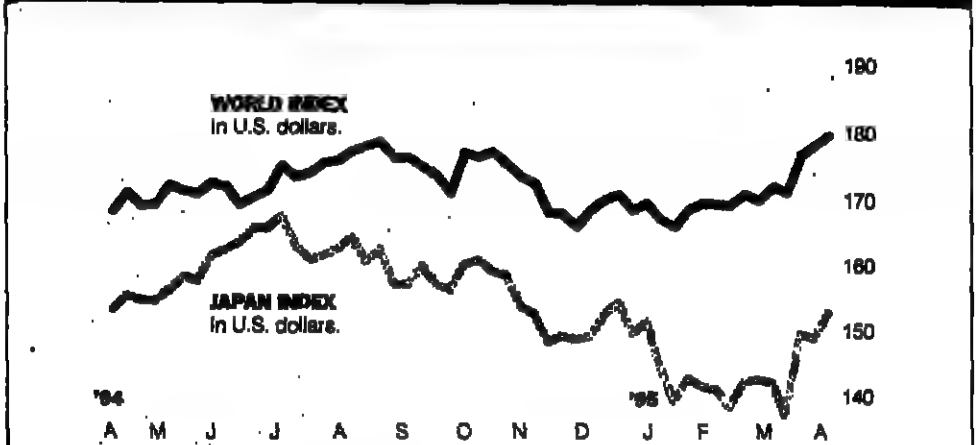
He never misled employees, he said, because the rules of the game were clear from the start. "If they didn't like it, they could take their marbles somewhere else," he said.

But at many other companies, the rules are changing. Established companies, by the thousands, have restructured their traditional pension plans, which guaranteed workers a steady check after retirement, and replaced them with 401(k) plans and other programs that shift much of the responsibility for saving for retirement to employees. Between 1980 and 1986, according to an earlier study by Mr. Kruse of Rutgers, 9,700 companies switched from a defined benefit plan, or a traditional pension, to a defined contribution plan.

The Kmart Corporation has become the latest company to hop on. On April 7, it announced that it would freeze its pension plan and shift to a profit-sharing program. Although the move will save Kmart money, it was hailed by the beleaguered company as a program that will "create specific economic incentives by emphasizing the connection between associates' efforts and Kmart's performance." Kmart stock is one of several investment choices.

If top executives are worried about their retirement dollars being so heavily concentrated, they at least have choices for diversifying assets tied up in company stocks that are not available to everyone. One method is a so-called equity swap, in which the executives each transfer a large block of stock to a brokerage firm. They give up all the advantages and risk of owning their respective stock. But in return, they each enjoy a partial stake in a more diversified portfolio of stocks, less some fees.

WORLD STOCK MARKETS



Prepared by Goldman, Sachs & Co. using data derived from the FT Actiworld World Indices, a measure of stock market performance. The FT indices are compiled jointly by The Financial Times Limited, Goldman, Sachs & Co. and NatWest Securities Ltd. in conjunction with the Institute of Actuaries and the Faculty of Actuaries.

PERFORMANCE		IN U.S. DOLLARS				IN LOCAL CURRENCY			
Country	Index	Week % Chg.	Week Rank	YTD % Chg.	YTD Rank	Index	Week % Chg.	Week Rank	YTD % Chg.
Australia	173.52	1.7	6	1.1	19	3.89	155.82	5.9	8.8
Austria	185.83	-1.0	19	1.7	18	1.29	134.21	-8.8	1.1
Belgium	188.79	0.6	13	12.1	2	3.96	133.04	0.6	4.3
Britain	206.30	-0.3	16	6.9	8	4.26	192.64	4.6	2.9
Canada	136.51	2.6	2	5.5	11	2.58	136.26	2.9	6.6
Denmark	261.94	0.6	12	4.0	13	1.83	194.57	-6.6	1.1
Finland	183.63	-2.4	23	-1.2	21	1.45	164.93	-10.8	1.1
France	181.78	-1.9	21	11.1	3	3.10	138.37	7.4	6.8
Germany	149.61	-0.4	18	4.4	12	2.15	108.11	-6.4	5.4
Hong Kong	345.25	1.5	7	5.9	10	3.93	342.79	5.8	6.8
Ireland	222.89	2.1	5	8.1	7	3.53	192.27	2.2	2.2
Italy	70.49	2.7	1	-6.4	23	1.71	89.76	-1.6	1.6
Japan	155.47	2.5	3	-0.9	20	0.93	81.88	-17.3	1.8
Malaysia	487.54	0.2	15	1.7	17	1.74	482.85	-1.8	1.8
Mexico	896.40	-5.6	24	-36.7	24	1.76	6,169.58	-19.1	1.6
Netherlands	238.01	-0.3	17	9.7	6	3.73	169.05	-1.6	1.6
New Zealand	81.87	2.4	4	16.2	1	4.54	64.69	10.7	10.7
Norway	216.84	0.3	14	1.7	16	2.31	182.99	-6.5	6.5
Singapore	364.43	1.2	9	-2.3	22	1.84	234.32	-6.5	6.5
South Africa	344.16	-2.4	22	2.2	15	2.50	271.08	-9.6	9.6
Spain	136.07	0.6	10	3.1	14	4.47	127.28	-3.3	3.3
Sweden	246.07	1.2	8	8.5	9	2.18	285.71	4.5	4.5
Switzerland	182.77	-1.2	20	10.6	5	1.93	130.31	-2.8	2.8
United States	208.11	0.6	11	10.8	4	2.73	208.11	10.8	10.8

COMPOSITE INDICES		Week % Chg.	Week Rank	YTD % Chg.	YTD Rank
Europe	180.34	-0.4	6	3.24	150.73
Europe/Pacific	170.47	1.1	2.6	2.15	114.43
World	181.89	0.9	5.1	2.37	144.01

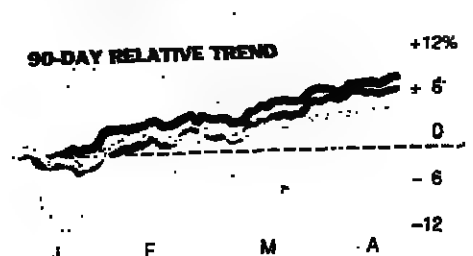
Source: Goldman, Sachs & Co. Exchange rates as of Friday's London close. © 1995 The Financial Times Ltd., Goldman, Sachs & Co. and NatWest Securities Ltd.

CURRENCIES		Friday	Last Friday	Week % Chg.	Year Ago
Japan	Yen per U.S. \$	83.50	83.82	-0.38	103.45
Germany	Marks per U.S. \$	1.3864	1.3779	+0.62	1.7137
Canada	Canadian \$ per U.S. \$	1.3740	1.3913	-1.24	1.3847
Britain	U.S. \$ per British pound	1.6095	1.6152	-0.35	1.4715

Source: Bloomberg Financial Markets; exchange rates as of Friday's New York close.

April 10-14: Despite Dollar's Day of Turmoil, Markets Steadily Advance

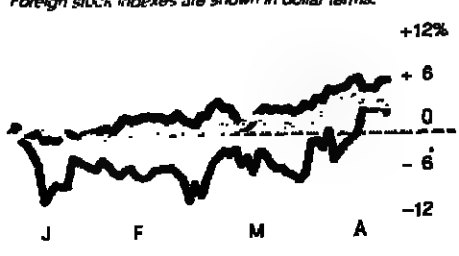
PRICES	
DOMESTIC EQUITIES	
Broad market	Up 0.55%
S&P 500 index	509.23
Blue chips	Up 0.37%
Dow 30 industrials	4,208.18
Small capitalization	Up 1.52%
Russell 2000 index	263.98



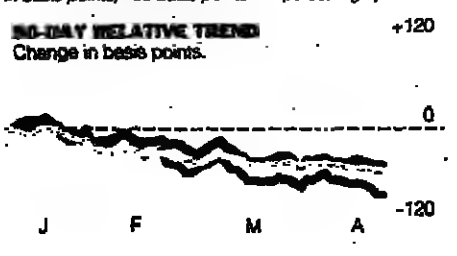
DOMESTIC BONDS	
Treasuries	Up 0.57%
Ryan Labs. Total Return	170.22
Municipals	Up 0.37%
Bond Buyer index	92.50
Corporates	Up 0.60%
Merrill Lynch Master index	720.90



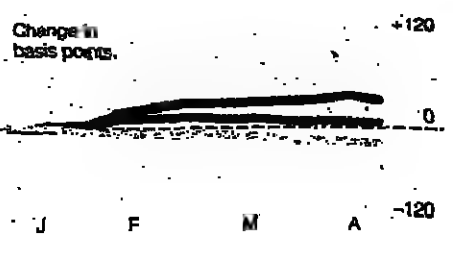
AROUND THE WORLD	
European stocks	Down 0.36%
F.T. Actuaries Europe	180.34
Asian stocks	Up 2.34%
F.T. Actuaries Pacific Basin	163.60
Gold	Down 0.83%
New York cash price	\$392.40



YIELDS	
BONDS	
Long bonds	7.33%
30-year Treasuries	Down 6 basis pts.
Short bonds	6.50%
2-year Treasuries	Down 14 basis pts.
Municipals	6.26%
Bond Buyer index	Down 3 basis pts.



OTHER INVESTMENTS	
Money market funds	5.53%
Bank fund average	Down 5 basis pts.
Bank C.D.'s	5.79%
1-year small savers	Unchanged
Stocks	2.66%
S&P 500 dividend yield	Down 2 b.p.



The New York Times

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Our Maddening Tax System

The day before Americans must send in their tax checks is an appropriate moment to ask whether Congress can't do better. The current tax code is maddeningly complex, costly and unfair.

One large firm had to submit a tax return of more than 20,000 pages. The code penalizes savings, thereby retarding growth — an alarming problem for a country that has seen its savings rate fall well below the rates in Japan and Western Europe. The code also breeds cynicism among those who cannot claim any of the subsidies that Congress passes at the behest of big contributors.

Congress has been eager to pass popular tax cuts but slow to overhaul the tax code. Reform, after all, would create unforgiving losers. The Republican leadership says this year will be different. Dick Armey, the House majority leader, Bill Archer, chairman of the House tax-writing committee, and Pete Domenici, chairman of the Senate Budget Committee, advocate overhaul. The Senate majority leader, Bob Dole, and House Speaker Newt Gingrich have asked Jack Kemp, Housing Secretary under President Bush, to head a commission — though the commission may be Mr. Dole's way of deferring the issue as he runs for the Presidency.

Any reform needs to produce a code that is simple, pro-growth and fair. That means a code with progressive tax rates that take a larger fraction of income from the wealthy than from the poor. No existing plan hits all three targets, but Mr. Kemp will take a hard look at least the following three.

Sales Taxes. Senator Richard Lugar, a G.O.P. Presidential candidate, proposes to replace the income tax with a national sales tax. This has the advantage of being simple and exempting savings. Some in Congress advocate a European version of sales taxes, known as a V.A.T., which is collected from each business in the chain of production, a

system designed to discourage cheating. The major fault with sales taxes and V.A.T.'s is that they hit low-income families harder than high-income families, which tend to consume less of their income.

Consumption-Based Income Tax. This proposal by Senator Sam Nunn, Democrat of Georgia, and Mr. Domenici would preserve the personal income tax, with progressive rates, but allow an unlimited deduction for saving. The plan wipes out huge numbers of existing tax breaks and subsidies. Its major defect is the complexity of defining income and savings to take proper account of the 250 million different ways Americans earn their livings.

Flat Tax. The most startling plan comes from Mr. Armey. It would have individuals and companies pay a flat rate of 17 percent and fill out forms no bigger than a postcard. Individuals would pay taxes on wage and pension income without benefit of deductions except for a generous personal allowance that would wipe out taxes for a family of four earning less than about \$37,000. Taxes on all other income — like interest and dividends — would be paid by corporations, at the same flat rate. This eliminates the need of hundreds of millions of taxpayers to track down these numbers. The plan would encourage growth by exempting corporate investment. Its major defect is equity: flat taxes bestow huge tax cuts on wealthy families.

Mr. Kemp's challenge is to sift ideas for a plan that works. House Republicans have already used the lofty goal of balancing the budget to camouflage a program of steep tax cuts to the wealthy and huge spending cuts to the poor. It would compound that tragedy if the G.O.P. altered the tax code for the same benighted purpose. What most citizens want is a code that encourages growth but is fair and progressive. With such a code they would have less cause for anguish the second week in April.

MCA's Not So Excellent Adventure

No doubt Hollywood breathes easier now that MCA Inc. has come home after its star-crossed Japanese lull. The Matsushita Electric Industrial Company, which bought the entertainment conglomerate in 1990 and has sold it to Seagram, is also pleased. It is rid of a sinkhole that confounded its dreams of transforming the movie and music business. Happiest of all is Edgar Bronfman Jr., the Seagram president, who has a new \$5.7 billion toy.

But it is worth noting that the saga of MCA's dealings with Matsushita was an exercise in hubris and self-delusion. Each side viewed the other as ripe for partnership without being clear about the details. Maybe it was racist for some Americans to be upset about the Japanese takeover of such cultural jewels as Columbia Pictures and MCA. The Seagram deal has not, after all, inspired articles about Canada's "invasion" of Hollywood. But there were clearly outmoded cultural stereotypes in the way the two sides dealt with each other.

In going after MCA, Matsushita talked of synergy and assumed it would effortlessly capture MCA's library of movies and programs for its video recorders, CD-ROM's, digitalized TV's and the like. Its naïve view was that it had bought a well-run, consistently profitable Hollywood studio that would continue to produce international hits.

But instead of "Jurassic Park," Matsushita got "Waterworld," the new Kevin Costner film that looms as the biggest budget bust ever made, and a vortex of change in the world of communications that ruined its plans. Hit by a recession in Japan and a scandal that forced out its high command, the company shrank from the aggressive and risky strategies pushed by the Americans, though it re-

tains 20 percent of MCA as a hedge so it can gain future tie-ins in Hollywood. In the end, Matsushita avoided losing its shirt, which is more than Sony can say about Columbia Pictures, which has run up losses in the billions of dollars.

For their part, the leaders of MCA bought into the illusion — maybe from "Bridge on the River Kwai" — that the Japanese would defer respectfully to a venerable corporate elder like Lew Wasserman, whose scheme had been to reap a fortune for himself and tap Matsushita's cash reserves for new company ventures. To their shock, Mr. Wasserman and his deputy, Sidney Sheinberg, had to commute back and forth to Osaka to meet with underlings, without ever persuading the parent company to embark on the projects that were a major reason for selling MCA in the first place. It seems never to have occurred to the Hollywood moguls that Matsushita would not give them carte blanche in acquiring a record company or allying with a television network. They compounded their error by throwing temper tantrums and threatening to take a walk when they did not get their way. Small wonder that Matsushita did not bother even to check with its Hollywood partners when it began negotiating with the Bronfmans.

Bigger than any other Hollywood drama in the offing is the question of which studio conglomerate will win the race to produce and market films, television programs and music in ways unimaginable now. At least in the case of MCA the decision is out of the hands of a faceless corporation with no appetite for risk and adventure and in the hands of Mr. Bronfman, a onetime movie producer who will be anything but passive with his investment.

Topics of The Times

In Hot Water Over Hot Sauce

It would not have been the first time food was used as a weapon. In the famous Roald Dahl story, dramatized on "Alfred Hitchcock Presents," a wife kills her husband with a frozen leg of lamb and then serves the roasted murder weapon to detectives.

But this was surely the first time anyone got arrested on a charge of assault with a deadly pepper.

Michael Towne, a 20-year-old breakfast cook at a Denny's in Lebanon, N.H., is to go on trial in June for allegedly spiking the eggs of two Vermont state troopers with Tabasco sauce — burning their mouths and upsetting one officer's stomach. "We've got enough trouble without people screwing around with our food," Lebanon police Lieut. Ken Lary told The Associated Press.

A witness said the cook peppered the eggs as a joke because he does not like police. Mr. Towne, who faces up to two years in jail and a \$4,000 fine, said the hot sauce must have lingered on the grill from a previous order. In Southern locales, Mr. Towne would not have gotten arrested for such three-alarm spicing. He would have gotten a bigger tip. Former President Bush and his Secretary of State, James Baker, loved the macho Texas style of splashing around Tabasco sauce — even on tuna fish sandwiches.

There is plenty of medical evidence to back up the folk wisdom that hotter is better. Louisiana hot sauce kills certain bacteria found in raw oysters. Capsaicin, the incendiary ingredient in chili peppers, has shown some promise as a remedy for pain and herpes infections. Capsicum peppers are full of vitamins C and A. And medical researchers are looking for the secret of long life found that centenarians in Pakistan thrive on a diet short on meat and long on chili peppers.

The defendant should make the case that he was doing the troopers a favor.

Panning the House

A task force on television coverage of House proceedings reminded members last February of Speaker Newt Gingrich's new openness policy with a jocular warning: "Smile, You Could Be on Camera!" But many legislators were not amused when the official House camera operators began panning the chamber. The old policy had forced cameras to focus tightly on the person speaking while ignoring any activity, or lack thereof, in the rest of the chamber.

The result for viewers watching on C-Span, the public affairs cable service that provides gavel-to-gavel coverage of House and Senate sessions using the official feed, was a livelier and more realistic view of the floor action. Yet 31 Republican members wrote to Mr. Gingrich to protest that lawmakers might be shown in unflattering poses or negotiating deals.

The Speaker, bowing to colleagues' anxieties about being caught on camera "tugging their ears" or "picking their noses," started backpedaling. "It does seem to me," he wrote to the task force, "that when a Member is speaking, that Member should remain on camera out of common courtesy." That would leave all other members, of course, off camera. The coverage served up just before the House recessed, though better than in the old days, clearly suffered as the cameras restrained their wandering lenses in response to the complaints.

Mr. Gingrich says he remains committed to greater openness. The question now is how he and his task force will respond to proposals being prepared by C-Span and the networks that would allow broadcasters to operate their own cameras in the chamber under a pooled arrangement. The recent uproar reinforces the case for maximum access. Decisions about what Americans can see of Congress in action should not be in the hands of preening politicians.

Israel's Likud Will Back Any Peace That's Real

To the Editor:

Amos Oz is perhaps Israel's most accomplished writer of fiction, as is once again confirmed by "The Hamas-Likud Connection" (Op-Ed, April 11), in which he tars the democratic Israeli opposition as "the best collaborator that Hamas could hope for" and the "Israeli counterparts" of Islamic terrorism, veritable demons really, who are "against any kind of peace."

The reason Mr. Oz feels compelled to pen such nonsense at this time is that he knows support in Israel for the deal with Yasser Arafat has collapsed: 69 percent of the Israeli public wants to suspend the negotiations with the Palestine Liberation Organization, according to a leading poll published Friday, and their numbers include such respected individuals as Israel's President, Ezer Weizman.

Why has Israel changed its mind? Because the deal with the P.L.O. was sold to the public as a way of ending terror and bringing true peace. With lethal terror inside pre-1967 Israel up an incredible 300 percent in the last 18 months, the fantasy ride has turned nightmarish and Israelis want to get off.

From the outset, the Likud warned that Yasser Arafat would not rescind the P.L.O. charter calling for Israel's

destruction; that he would not be willing and able to combat terror; that handing the duties of the Israel Defense Forces to the P.L.O. would transform Gaza into another Lebanon, and that the result would be tragedy. Now that each of these assessments has come true, it is the right and responsibility of the opposition to demand a change of course. Fortunately, it now seems that such a change is coming.

Is the Likud "against any kind of peace"? This is absurd. The Likud signed the peace with Egypt in 1979, brought Israel to the Madrid peace conference in 1991 and enthusiastically supported the peace with Jordan in 1994. The Likud is for any peace that is real peace.

For years it has argued that the only way of achieving such a durable peace in the territories is through an autonomy arrangement under which Israel's security would be in the hands of its own Defense Forces, not the P.L.O. And it is such a pro-peace policy that we intend to pursue when the Likud next comes to power.

ELIAHU BEN-ELISSAR
Jerusalem, April 14, 1995
The writer, Israel's first Ambassador to Egypt, is the ranking Likud member on the Knesset Foreign Affairs and Defense Committee.

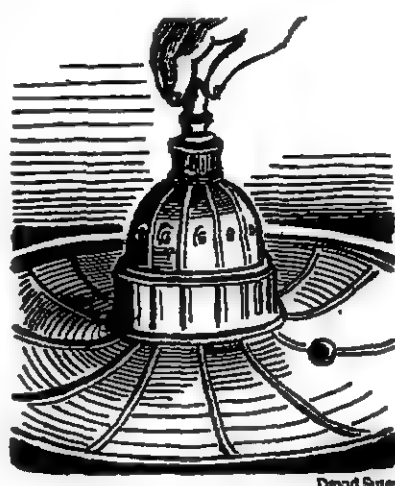
Let's Look at the Politics of Gambling

To the Editor:

William Safire's ordinarily laudable libertarian impulses seem to fail him whenever he discusses gambling ("Gambling Fever," April 10). It is true that some gamblers are problem gamblers, just as some drinkers become alcoholics. We do not reflexively ban the liquor business, nor do we argue that the state should have nothing to do with it.

State-sponsored gambling is often called "taxation of the willing," and it is thus surprising that Mr. Safire opposes it. He seems to object to the inherent moral evil of gambling and the danger to consumers who engage in it. He thus supports an activity he often decries in other contexts, the state acting as the moral arbiter of private conduct.

That Mr. Safire finds gambling objectionable is not a sufficient reason to argue that the state should have nothing to do with it. His argument would be more credible if it were based on the superiority of private over state enterprise. In-



stead, it is based on the weaker premise that an activity engaged in by millions is, to his way of thinking, "wrong."

EVAN OSBORNE
Assistant Professor of Economics
Wright State University
Dayton, Ohio, April 10, 1995

China Suicide Linked To a Power Struggle

To the Editor:

Your April 10 editorial "Tremors in China" acutely points out the reviving of "the Stalinist plot of targeting corruption investigations to damage rivals" among competing factions in China in the wake of Deng Xiaoping's imminent demise. One recent incident may serve to illustrate your thesis: the suicide of a Beijing Deputy Mayor, who was found shot dead by his own hand on April 5, at an official guest house where he had been detained for questioning of wrongdoing.

What has aroused intense interest is that the official, Wang Baosen, who was one of Beijing's two powerful executive deputy mayors, was a trusted aide to former Mayor Chen Xitong, who has been disenchanted with President Jiang Zemin since the latter's elevation to the nation's top post.

At the session of the National People's Congress held in March, Mr. Chen, now Beijing party boss, was heard to covertly accuse Mr. Jiang of "persisting in the emphasis of deliberalization and of reintroducing class struggle, contrary to the wishes of Comrade Xiaoping." Such utterance was jolting to some listeners, especially since Mr. Chen himself has long been regarded as a party hard-liner.

THEOTRY TUNG
New York, April 10, 1995

Renewable Energy Can Be Competitive

To the Editor:

Your April 12 article on renewable energy ("70's Dreams, 90's Realities," Business Day) underscores two trends in the energy industry: utilities overcharging their customers and deflecting the blame on others, and the failure of the United States to develop a coherent energy policy.

It is interesting to compare your chart of energy costs, showing natural gas at 3 cents per kilowatt-hour, wind at 5 cents and geothermal at 5.5 cents, with San Diego Gas & Electric's 1994 annual report, showing that the three major California utilities charge their customers between 9.7 and 10.5 cents per kilowatt-hour. There's the price gap.

The renewables just aren't competitive, lament the utilities. Well then, how did our company win \$2 billion in contracts over the last two years in Indonesia and the Philippines, going head to head on a level playing field against all energy sources? By showing that renewables in fact are competitive, especially weighed against the long-term effects of polluting fossil fuels.

Indeed, the entire move toward lower prices in the United States electric power industry has been due to competition since 1978 from renewables and other independent power companies, which have forced the utilities out of their monopoly position in generating power.

Are renewables competitive with current spot market prices of gas? Not today. However, will a natural-gas company sign a fixed 30-year contract at today's price? No, because gas prices are at a historical low and no one knows where they will go tomorrow.

Will a geothermal company sign a fixed 30-year contract? Absolutely, because geothermal steam is not a commodity subject to the same price fluctuations, market changes and Middle East politics.

The utilities' rush to abandon renewables and embrace low-priced gas has an eerie sense of déjà vu, as the United States demonstrates once again its inability to develop an intelligent energy policy. We ran to nuclear, which would be "too cheap to meter," according to the Atomic Energy Commission's Lewis Strauss. We ran to oil, which would last forever. Now we're running to gas. Once again, we base our strategy on the lowest available fuel source without giving any thought to diversity, security and environmental risks.

Renewable energy is neither a dream nor a luxury. It is a necessity that should be encouraged by anyone in the public or private sector whose definition of long-term is more than one year.

DAVID L. SOKOL
Chairman of the Board and
Chief Executive Officer
California Energy Company Inc.
Omaha, April 11, 1995

It's Still Not Too Late to Start Publishing Comic Strips

To the Editor:

I was pleased your April 9 editorial ("A Century of the Funnies") noted the centennial of newspaper syndicated comics, an American export published worldwide in a multitude of languages.

However, I was surprised you focused on "The Katzenjammer Kids," now published only once a week, and ignored both "Gasoline Alley" and "Barney Google and Snuffy Smith."

These two strips have been published continuously seven days a week since November 1918 and June 1919 respectively. They're still blockbuster successes. Along with "Bringing Up Father" (1913), they're the oldest comics in this category, all entertaining the reading public for 75 years plus.

"The Roosevelt Bears" of 1906 is not the last time The Times pub-

lished a full page of comics. On Wednesday, May 23, 1962, you published a full page of "Pogo Possum" cartoons by Walt Kelly. Granted this was courtesy of an ad for TV Guide, but a page of "Pogo" is a page of joy. That issue is a Pogophile collectible.

Also several years ago your magazine published a cover by Milton Caniff, creator of the Dragon Lady from "Terry and the Pirates," for an article on Tokyo Rose.

In a 1972 speech to the Newspaper Comics Council, Chester Gould, creator of "Dick Tracy," said: "It was once pointed out to me that The New

York Times carries no comic strips and still is a great newspaper. My answer to that was, Think how much greater it could have been had it carried comic strips."

The job of comics is to entertain and sell newspapers. As a dedicated comics reader, I suggest that you reconsider.

W. M. CROUCH
Bridgeport, Conn., April 12, 1995
The writer is author of several books on comic strips, including "The Best of Pogo."

61 Years of Magic

To the Editor:

In your April 9 editorial marking the centennial of newspaper comics, you neglect to mention the two longest instances of a creator still working on his creations. The oldest is "Mandrake the Magician," created by Lee Falk in 1934. The second oldest is "The Phantom," created in 1936, also by Lee Falk.

In the 100 years of comics, Mr. Falk has worked continuously for 61 of those years.

He writes them both to this day, and together those two strips, daily and Sunday, appear in more than 600 newspapers around the world. ELIZABETH MOXLEY FALK
New York, April 9, 1995

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Foreign Affairs

THOMAS L. FRIEDMAN

Where Do Cars Come From?

WASHINGTON

The other day I was playing the computer game "Where in the U.S.A. Is Carmen Sandiego?" with my 9-year-old daughter, Orly. It's a wonderful geography-teaching tool. You have to follow clues to different cities to track down the criminals. The clues were given for one trip were all clearly pointing to Detroit. But instead of giving my daughter the answer, I wanted to see if she could figure it out herself, so I asked her: "Where are cars made?" And without missing a beat she answered: "Japan."

From the mouths of babes.

Where have I failed as a parent? I guess it's the same place that we've failed as a nation. We have so blithely surrendered so much of the car market to the Japanese that my own daughter thinks cars come from Japan as surely as pizza comes from Italy and babies from the stork.

My daughter, of course, was only part right. Roughly 25 percent of cars sold in the U.S. today are Japanese models. But if we were living in Tokyo she would be dead right, since only 1.5 percent of the cars sold in Japan are American.

This week U.S. and Japanese negotiators will once again try to work out a deal for opening the closed Japanese auto market. Don't hold your breath. The Japanese will literally do anything to preserve their domestic car monopoly, even though it is one of the major causes of the massive trade imbalance between the U.S. and Japan that is, in turn, causing the yen to soar in value against the dollar.

In fact, the higher the yen goes the less likely Japan is to open its auto market. With the yen rising against the dollar, Japanese cars become more expensive and difficult to sell in the U.S., so Japanese auto company profits are squeezed. That makes it all the more important for Japanese auto makers to protect their home market from competition, so they can charge higher prices there and run up profits they need to cover losses abroad.

What the U.S. is seeking is an end to Japan's barriers. For instance, only 7.4 percent of Japanese car dealers, who are manipulated by the manufacturers, sell foreign cars alongside Japanese models. Almost 80 percent of U.S. dealers sell foreign models alongside their domestic brands. It's hard to sell a car by mail order. You need a showroom and U.S. cars don't have many in Japan. And the old America-makes-the-wrong-cars line doesn't wash any more. U.S. companies now make eight different right-hand-drive vehicles tailored for Japan.

The U.S. is also seeking better access to Japan's huge market for replacement auto parts, which has been largely closed to foreigners through Japanese regulations, customs codes and cartels. U.S. manufacturers have 3 percent of Japan's \$27 billion replacement parts market, while foreigners have 18 percent of the U.S. replacement market and 22 percent of Europe's.

Clinton officials claim they are finally ready to tell Tokyo that either it enters into a meaningful agreement to open Japan's auto market,

Putting Detroit back on the map.

with measurable results, or the U.S. will impose punitive tariffs.

(If this is true, it means the White House has rejected the brain-dead advice of the Pentagon that we must not allow "trade friction" to undermine our security ties with Japan. Nonsense. We're Japan's largest export market and we provide Japan with its security umbrella. We should use both as levers to promote our trade interests. Would somebody get the Pentagon a map. The last time I checked, North Korea and China were a lot closer to Tokyo than Washington. Maybe, just maybe, the Japanese need us more than we need them. How about a little less Keynes and a little more Machiavelli?)

For starters we should charge Japanese auto manufacturers a distribution tax on every car they sell in the U.S. — a tax that will be reduced in proportion to how many Japanese manufacturers open their showrooms to foreign cars. We should also inspect every Japanese car and part that comes into this country, and take our sweet time doing it, which is just what Japan does.

Hold on, the Japanese will say, that is a violation of the rules of the World Trade Organization. Rules? Did somebody say rules? Does anyone think that Tokyo shrank the U.S. share of the Japanese auto market from 60 percent in 1953 to 1 percent in 1960 by playing by the rules? We'll win equal opportunity in the Japanese market when we play the game by their rules — which are no rules at all.

Even a 9-year-old understands that.

By James P. Turner

BACK TO THE FUTURE is the right approach to the affirmative-action debate. Strip away 30 years of political baggage, and you will uncover a measured way to undo patterns of discrimination that is still the fairest remedy we have.

In retrospect, the idea that grew into affirmative action seems tame. In 1966, the Justice Department looked behind the innocent facade of a craft union in New Orleans and discovered a closed-circuit operation that guaranteed that minorities would never work in the trade. Every member of the local was white, and a vicious circle of rules guaranteed it would stay that way. To get a job through the union's exclusive hiring hall, one had to be a member, related to a member or referred by a member; to become a member, one had to have experience working in the trade. This lily-white union could perpetuate itself indefinitely.

To comply with Title VII of the 1964 Civil Rights Act and break

James P. Turner retired last year after 25 years as the career Deputy Assistant Attorney General in the Justice Department's Civil Rights Division.

away from the restrictive rules, a Federal court approved the first-ever race-conscious remedy: the union must seek out and invite minorities to use the services of its hiring hall, and for a time it must make job referrals on an equal basis, one-for-one, minority and white. The requirements would cease when the evidence showed that the excluded minorities had been afforded a fair chance to obtain work experience and qualify for union membership.

In every sense of the word, the court's orders were "affirmative." Rather than appointing a receiver or bankrupting the local with fines, the court required the union to reform itself. Equitable balance required that a period of negative exclusion should be redressed by a period of affirmative inclusion. This kind of relief, carefully structured and temporary, became standard under Title VII as a way to restore balance to an employment system that, intentionally or otherwise, had used race as a qualification for jobs.

In 1970, another affirmative way to break down patterns of exclusion was designed by the Nixon Labor Department. A Federal court approved Philadelphia's approach, which required contractors seeking city business to pledge that their employees' racial makeup would approximate that of the local work force. The court held that this was a reasonable way to address the city's

legitimate interest in breaking down discriminatory policies.

In 1978, Congress began to participate in affirmative action. In a special economic stimulus package, 10 percent of the Public Works Act appropriation was set aside for minority contractors. The approach was approved by the Supreme Court, which stressed its limited nature and Congress's desire to address discrimination previously found in federally funded programs.

Into the 1980's, the Supreme Court encouraged reasonable reform efforts, approving one employer's training program to help minorities qualify for advancement and another's adoption of goals to overcome a seriously lopsided work force.

Outside the employment field, affirmative remedies were approved in other areas infected with discrimination, from desegregation of schools to college admissions to voting rights. When an election system was rigged to eliminate or minimize minority participation, the Voting Rights Act required jurisdictions to replace the offending features with fair designs that enhanced minority voters' opportunities.

There is nothing radical, immoral or un-American in these simple, therapeutic concepts of affirmative action. However, these perfectly sound principles have been so abused by fringe politicians and pressure groups that the original purposes have been

obscured and the general public has become befuddled.

During the "Reagan revolution," conservative Republicans rallied that affirmative action was nothing but a quota system in mild disguise, fanning the flames of racial division with the scary cliché of "reverse

Affirmative action is not un-American.

discrimination." Fortunately, the Federal courts would not be stampeded, and repeatedly rejected invitations to throw out effective remedies because they were inconsistent with someone's pet philosophy.

The liberals have muddled the debate with their unfortunate penchant for affirmative "stretching" that plays into the hands of the conservative quota-bashers. For example, in 1983, when liberal Democrats gained control of the City Council in Richmond, Va., the new majority promptly earmarked 30 percent of contracting dollars for minority contractors (including Eskimos and Aleuts) — not as a carefully targeted remedy for past discrimination but as a virtu-

al entitlement. Again, the courts came forward, this time to warn that such racial classifications were unconstitutional.

More recently, the Clinton Administration, which seems determined to placate the left, has taken the position that a school district may discharge a teacher because her race is inconsistent with the demands of proper diversity. This stretching is under review by the Federal courts.

Perhaps the worst of all worlds is the shameful bipartisan political spectacle that has produced some of the oddest so-called electoral districts in American history.

After the 1990 census, Republican operatives came up with a poisoned apple — free software programs — to help minorities design districts they could control, not because it was right but because concentrating minorities in a few districts would turn adjacent districts Republican. For practical political reasons, the Democrats jumped into this campaign to maximize minority districts (no matter how bizarre their shapes). The Administration is now trying to defend them all, including some plainly indefensible racial gerrymanders.

Over the last 15 years, a war of ideological slogans has passed for public debate. The pendulum has swung wildly from those who would use public concern over class-based remedies as a wedge to roll back civil rights progress to those who consider affirmative action a convenient way to achieve politically correct bean counting. To all of them I say, "Let's give it a rest."

Civil rights are basic principles of our democracy that should not be used as political grist. Other than faithful enforcement, there should be no Republican or Democratic position on civil rights.

We don't need another evaluation of affirmative action nearly as much as we need a little peace and quiet on the subject. With that, and court guidance, we can trust the law-enforcement professionals at the Justice Department and elsewhere to get on with the business of enforcing the civil rights laws through the careful, balanced, non-excessive application of the principles of affirmative action. □

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Bhutto Came, She Saw, She Conquered

By Larry Pressler

WASHINGTON

The Prime Minister of Pakistan, Mrs. Benazir Bhutto, came to the United States with one major goal — to convince Washington to reward her Government with a multibillion-dollar aid package even though Pakistan possesses nuclear explosives. She was successful.

President Clinton announced that he would seek Congressional approval

of aid. That would be a huge mistake. It would be a willful violation of Federal law. Beyond that, it would seriously undermine his own own nuclear nonproliferation goals.

The law requires that Pakistan pay a price for its decision to go nuclear. If Mr. Clinton does not ask Mrs. Bhutto to pay that price, then he will encourage rogue states everywhere to pursue nuclear ambitions.

The law is clear. There can be no flexibility as long as Pakistan has nuclear explosives. Ten years ago, Congress enacted the Pressler Amendment, which I wrote, to cut off aid and military sales to Pakistan if the President could not certify that Pakistan did not possess a nuclear bomb. Since 1990, no President has been able to certify that Pakistan

was not in possession of nuclear explosives. Thus, all direct aid and military sales have been ended.

Pakistan is now said to have enough nuclear material to assemble at least six bombs. It is also building a nuclear reactor that would give it access to vast amounts of plutonium to construct even more nuclear bombs — a fact the Prime Minister at first denied but then quickly confirmed. Besides, Pakistani officials have been advising the terrorist state of Iran how to start its own nuclear program.

Faced with these facts, Mr. Clinton should demand that Pakistan abandon its nuclear agenda.

Amazingly, he was prepared to unconditionally reward Pakistan with military aid, including the F-16

aircraft that were originally sought by Pakistan but whose delivery is blocked by the Pressler Amendment. The F-16, which can carry and drop a nuclear bomb, would of course greatly enhance Pakistan's nuclear capability.

President Clinton has now offered to compensate Pakistan for the undelivered planes. Why? Sizeable aid in any form would be seen as a reward for Pakistan's nuclear ambitions. It would deliver a blow to regional peace, generate renewed hostilities and a nuclear arms race between Pakistan and India and increase the likelihood of nuclear weapons falling into terrorist hands.

We cannot condone, through taxpayer assistance, Pakistan's becoming a nuclear power. Nor should we

If she gets aid from Clinton, it'll be illegal.

allow Pakistan's extradition of Ramzi Yousef, the alleged mastermind of the World Trade Center bombing, to justify relaxing our nuclear nonproliferation policy.

Pakistan remains a safe haven for terrorists, who have taken the lives of more than 1,000 people there since the beginning of last year, including those of two American diplomats.

Pakistan repeatedly has not been straightforward with U.S. officials about the scope of its nuclear program, including its recent nuclear reactor project.

By proposing to resume U.S. aid, President Clinton would reward this deception and signal acceptance of Pakistan's place at the nuclear table. This action would also undermine the Nuclear Nonproliferation Treaty — a measure the President is seeking to renew. Pakistan is not a signatory and does not allow United Nations inspections.

Just as ominously, the Clinton aid package would tell other countries that there are no long-term penalties for going nuclear.

Pakistan needs to succeed economically. Reaffirmation of the Pressler Amendment would be a good start.

The people of Pakistan should be permitted to live with the hope of better opportunity, not the fear of nuclear annihilation. □

Journal

FRANK RICH

Second-Best Killer of the Week

If I had to choose a favorite killer of the week, give me the teen-age girl who bludgeoned her mother with a lead-crystal candlestick holder and got turned away from Harvard. Not the man who mastered number-crunching at the Harvard Business School and later took his charts to Washington, where he used them to prolong a war whose body count totaled 58,000 American and some 3 million Vietnamese lives.

Robert McNamara says that he has published his book now to combat the "cynicism" threatening the relationship between Americans and their leaders. He's right in one respect: Cynicism about this country's institutions, political and otherwise, knows few bounds. When the news spread a week ago that Harvard had reversed its decision to admit Gina Grant, a star student who had not revealed her crime or court-adjudicated punishment on her admissions application, public sentiment instantly favored Ms. Grant, not Harvard. That's Mr. McNamara's legacy.

But far from ending such cynicism, his disingenuous memoir will compound it. Even as the man quotes Aeschylus and appears as a teary tragic figure in prime time, his words tell us that the contrition is a pose and that he has learned nothing.

The "eleven major causes for our disaster in Vietnam" he lists in his own Defense Department's bureaucracy at his book's conclusion — misjudging the adversary, misinforming the public, and so on — could have been recited by any half-stoned, draft-eligible undergraduate well before Mr. McNamara left office. The real wisdom he might finally have attained — a recognition that he was wrong not to announce his mid-war about-face and quit the Johnson Cabinet when lives might still have been saved — eludes him.

"Some said I should have used [my power] by resigning, challenging the President's Vietnam policy, and leading those who sought to force a change," he writes. "I believe that would have been a violation of my responsibility to the President and my oath to uphold the Constitution."

Since Mr. McNamara is so fond of drawing analogies between his Vietnam War policy and his experience fighting Nazi aggression in World War II, perhaps it's fair to ask: Would his rationale for refusing to break publicly with an immoral war policy have flown from Nuremberg? When an exasperated Ted Koppel pressed him Thursday night on his "moral obligation" to speak out

when thousands were dying in Vietnam, Mr. McNamara ducked the question, then changed the subject, shutting off serious debate now just as he did then. David Halberstam's judgment of 1972 in "The Best and the Brightest" — that Mr. McNamara was guilty of "perhaps too much loyalty, the corporate-mental loyalty to the office instead of to

McNamara, Gina Grant and veritas.

himself" — hardly need be altered today.

A judgment about Gina Grant and her right to a Harvard education is far harder to come by: too much of her story is a matter of rumor and opinion, not testimony and fact. But this much is clear. Unlike Mr. McNamara, she did face a judge and was punished for a crime that, like the Vietnam War, may have been committed in at least theoretical self-defense. Nor is Ms. Grant telling her

story in print in a bid for money and sympathy — or making the rounds of media self-promotion — as Mr. McNamara is.

In exchange for her dignified silence, she got no rewards, only a smear campaign by Harvard admissions committee members who refused to give her a hearing but who, under the cloak of anonymity, fed unsubstantiated evidence against her to The Harvard Crimson and Boston Globe. Mr. McNamara's public moral plea bargaining, meanwhile, has earned him brownie points for his "guts" in Newsweek, not to mention nearly twice as many copies of his book in print as there are names on the wall in Washington.

If Bill Clinton had guts, he wouldn't just endorse Mr. McNamara's sham apology to vindicate his own anti-war protest but would mount the bully pulpit on behalf of those who risked their futures by resisting the draft, and those who fought and died in innocent perpetration of the policy that, unbeknownst to them, the Secretary of Defense considered a mistake. But given that the Clintons were Mr. McNamara's Vineyard house guests the summer after the '92 election, who seriously thinks he will do so? We're all cynics now. □

Note to Readers

The Op-Ed page welcomes unsolicited manuscripts. Because of the volume of submissions, however, we regret that we cannot acknowledge an article or return it unless it is accompanied by a self-addressed, stamped envelope. If manuscripts are accepted for publication, authors will be notified within two weeks.

Good History? Perhaps Not. But Good Music.

By ALLAN KOZINN

During the filming of "Jefferson in Paris," the Merchant Ivory movie about Thomas Jefferson's years as minister to France, Gwyneth Paltrow showed off a trick she had recently learned. Ms. Paltrow, who plays Jefferson's daughter Patsy in the film, went to the harpsichord and gave a stylish reading of "La Lugeac," a brisk showpiece by the 18th-century composer Claude Balbastre.

What was remarkable was that Ms. Paltrow had taken up the harpsichord only a few months earlier and, unable to read music, had learned the piece by rote. Similarly, Nick Nolte, who plays Jefferson, learned the rudiments of violin playing, and Greta Scacchi, who portrays Jefferson's paramour, the painter and composer Maria Cosway, learned to sing and to play the harpsichord and the harp.

Professional musicians would, of course, re-record the music, but James Ivory, the director, insisted that the actors look as if they were really playing. To oversee their instrumental coaching and the rest of the film's musical details, he employed David Bahanovich, a 31-year-old freelance cellist and musicologist.

"We knew from the start that music would be at the heart of any film about the Jeffersons," Mr. Ivory said. "And I knew that I had to find someone who knew the sources. Just as I was considering that problem, a friend of mine invited me to a concert in which David was performing music from Jefferson's collection. The music was very beautiful, and David seemed very learned, energetic and enterprising, and had good taste, so I hired him."

Critics and historians are debating the accuracy of the film's portrayal of Jefferson, particularly its account of an affair with the slave Sally Hemings. But if one aspect of the film seems beyond reproach, it is its use of period music, which alternates on the soundtrack with a lush

score by Richard Robbins. The antique music, played by William Christie, his ensemble Les Arts Florissants and other musicians, including Mr. Bahanovich, also shares the Angel soundtrack album with Mr. Robbins's score.

Historical music is by no means incidental in the film. The celluloid Jefferson is seen more often as an amateur violinist than as a statesman, and music is the common ground on which he meets the women in his life. It is everywhere: at court, in drawing rooms and bedrooms, at the opera and among the revolutionaries.

Mr. Bahanovich, an articulate champion of neglected music, with longish blond hair and round glasses that give him an owl and slightly archaic look, approached the project with little film experience. A graduate of the Peabody Conservatory in Baltimore, he had worked on a few documentaries for the Smithsonian Institution. His interest in Jefferson stemmed from a private fascination with historical figures who were partial to music. He began exploring the music library at Monticello four years ago and developed a working knowledge of the collection's 5,000 scores.

Some of the film selections were self-evident. A movie that dwells on the romance between Jefferson and Cosway had to include some of Cosway's music. In one slightly anachronistic touch, Cosway performs her "Mozart," a graceful piece for voice and harp, at a party attended by Jefferson. In fact, she composed the song after her return to London and sent it to Jefferson from there.

Another must was "Jour heureux," an aria from Antonio Sacchini's "Dardanus" to which Jefferson referred in a passionate letter to Cosway right after she had left Paris. And since "Dardanus" was all the rage while Jefferson and Cosway were together, Mr. Bahanovich persuaded Mr. Ivory to include part of the opera itself in the film; in a lavish re-creation of an 18th-century Parisian opera house, a singer descends in a squeaky cloud as the audience mills about, converses and shouts bawdy comments.



David Bahanovich working with actors on the set of the film "Jefferson in Paris"—Putting a private fascination with Jefferson to good use.

Mr. Robbins, who had scored several earlier Merchant Ivory films, did not sign onto the project until late in the filming, so it was left to Mr. Bahanovich to find a suitable recurring theme. He settled on Corelli's "Polka" Variations, which Jefferson owned in several editions.

"I wanted a piece that had an impact and an immediacy," Mr. Bahanovich said, "something people would know, but which would make a nonmusician say, 'Wow!' And because there are 23 variations in the set, it gave me a lot to work with. Whenever the theme returns in the film, it has a different emotional character. Also, it exists in an orchestration by Geminiani. So I had a choice of intimacy, in the violin-and-harpsichord version, or the larger strokes of the Geminiani."

Not all the music came from Jefferson's collection. Mr. Bahanovich spent a few weeks paging through old newspapers in Paris to see what was playing during Jefferson's stay. Mozart, he found, was not especially in vogue; in the 400 programs he examined, he found only three or four works listed. Haydn fared better, but Mr. Bahanovich preferred the unusual: he used a quartet by Johann Schobert (a composer Jef-

erson favored) and a sacred work by Marc-Antoine Charpentier.

Colleagues offered advice, too. Linda Kobler, a harpsichordist who was engaged to teach Ms. Paltrow, recommended the piece by Balbastre, who had been Patsy Jefferson's teacher.

"There is a scene in which her harpsichord is delivered," Ms. Kobler said. "My first instinct was to give her something slow, something Gwyneth could handle. But someone just getting a harpsichord is going to want something more exciting. The Balbastre isn't easy. It's fast. There are octaves and a lot of brilliant passage work. But she learned it. It was really astonishing."

The script demanded street-level music as well. Mr. Bahanovich found a French revolutionary song for a scene that depicts a lynching by a peasant mob; 18th-century ceremonial drumrolls to accompany Jefferson's introduction at the court of Louis XVI; slave songs for Sally Hemings (Thandie Newton) to sing, and ornate hunting calls that were composed for Louis XV.

An opulent attention to detail is a rule at Merchant Ivory, and the visual side of music-making has long been a house concern.

"Oh, yes, we've gone through this over and over," Mr. Ivory said, "starting with 'Guru,' a film we made in India that few people know. It was about a star player, and we insisted that our actor learn to play. During the filming he was arrested for sedition, and the authorities allowed him to take his star to prison so that he could practice."

This meticulousness suited Mr. Bahanovich. Like many musicians, he had cringed through the performance scenes in the otherwise exquisite "Tous les Matins du Monde," the film about the Baroque composer Marin Marais, in which Gérard Depardieu's hand movements on a viola da gamba appeared to have no connection to the music heard on the soundtrack. Period-instrument players were hired to teach Ms. Paltrow, Ms. Scacchi and Mr. Nolte, and Mr. Bahanovich held coaching sessions on the set.

"A musician can tell whether an actor is a musician or not just by the way he picks up the violin or sits at the harpsichord," Mr. Bahanovich said. "We spent a lesson or two just on that. The extraordinary thing about actors is that they have a

remarkable ability to imitate. They may not understand any aspect of what they're doing, but they're very perceptive, and if you have people who can demonstrate clearly, they can mimic perfectly."

The final touch was acquiring the right instruments. Though they are glimpsed only briefly, Mr. Bahanovich wanted them to be authentic. For Patsy Jefferson's scenes, he persuaded a German harpsichord collector to lend a Kirkman instrument from 1786, the year in which Kirkman built a harpsichord for Jefferson. Jefferson plays a Solomon violin, made in Paris in the early 1770's and borrowed from a musician in New York. And Cosway plays an ornately decorated 1785 Cousineau harp called the Marie Antoinette, borrowed from a collector in France.

"Actually, we had to borrow several other harpsichords as well," Mr. Bahanovich said. "Some were not played but appear in nonmusical scenes, almost as furniture. I wanted to be sure that all the instruments were of interest, and of course I could not use the same harpsichord in different settings."

"And besides, it was lovely having all those rare instruments around."

MUSIC

The Easy Route? Not for John Prine

By KEN TUCKER

John Prine's luminous new album, "Lost Dogs and Mixed Blessings," takes you on a journey. It goes from hope to despair — Mr. Prine's favorite trail — with side trips that give him time to mull over bittersweet love and his own wayward career.

The album opens with "New Train," one of the sunniest tunes this veteran singer-songwriter has ever composed. Mr. Prine has long specialized in turning bad love affairs and a dour philosophy of life into rollicking music festooned with witty wordplay. On "New Train" he uses those skills to compose a song about fresh beginnings and redoubled inspiration. After nearly a quarter century of frequently superlative recordings that have never found a mass audience, his catchy little song about the ways people can repair the damage of their tough lives carries the weight of a manifesto — but a jaunty, exhilarating manifesto.

By contrast, the album concludes 13 cuts later with the warm glow of something rare. Mr. Prine singing a song he didn't write. "I Love You So Much It Hurts," a heartbreaking honky-tonk waltz written by Floyd Tillman in the 1940's, receives an interpretation of rough-hewn gorgeousness here as Mr. Prine croaks of his loneliness and pain, accompanied only by the gentle piano of the producer Benmont Tench.

"Lost Dogs" (Oh Boy; CD and cassette) teems with good examples of Mr. Prine's most gratifying quirk as a songwriter: he takes a journeyman's pride in unifying metaphor and metrical precision, even as he indulges a boneheaded genius for scrambled syntax and loopy non sequiturs. You can hear these qualities in a couplet from "Ain't Hurtin' Nobody": "Perfectly crafted popular hit songs never use the wrong rhyme/You'd think that waitress could get my order right the first time" — or in the way he makes an elaborate point of telling you that there were sausages sizzling on a fire when he fell in love with his

future wife in "Lake Marie." But some of the best tunes are also the simplest. "Day Is Done" has the tinkly prettiness and elementary vocabulary of a children's song, even while suggesting that its actual subject is a pair of illicit lovers. On "This Love Is Real," Mr. Prine's



John Prine, 25 years of recordings that never found a mass audience.

hoarse croon is accompanied by Marianne Faithfull's scratchy one to achieve a lovely, plainspoken ballad. And on the ripe, delicate "All the Way With You," Mr. Prine takes the crass phrase "going all the way" and turns it into a pledge of love meant to last a lifetime.

When Mr. Prine cut his debut album, "John Prine," in 1971, this one-time Chicago mailman got lumped into that most unenviable of then-current categories: he was acclaimed a "new Dylan." Back then, anyone who strummed a guitar, puffed on a harmonica and wrote his own songs had to endure comparisons to Bob Dylan.

From the start, however, Mr. Prine had the admiration of peers who recognized his originality: Bonnie Raitt's version of his "Angel From Montgomery" became a beloved staple of her own stage act, and Bette Midler recorded an eerie interpretation of "Hello in There," his unsentimental sketch of old age. To his artistic credit, Mr. Prine never opted for the easy route; he could

have drained his music of the jagged, old-fashioned rock-and-roll he has always been drawn to and turned himself into a careerist folkie, gratifying an enthusiastic cult following with his generous goofiness.

By remaining stubbornly true to his quirky mixture of folk melodicism and rock asperity, however, the commercial bottom fell out of Mr. Prine's career in the early 80's. Dropped by major record labels, he regrouped by forming his own company, Oh Boy Records, and selling subsequent collections by mail order.

Then, in 1991, Mr. Prine caught a break: he hooked up with Howie Epstein from Tom Petty's band, the Heartbreakers. Mr. Epstein's crisp, unadorned, yet rocking production of Mr. Prine's album "The Missing Years" gave Mr. Prine the finest showcase his music had ever had. Then too, pop trends were finally coming around to meet his strengths. The increased interest in "Unplugged" acoustic performances, combined with a baby-boom generation grown old enough to feel nostalgic for the pre-punk music of its youth, turned Mr. Prine, for example, into a platinum-selling star for the first time in his life.

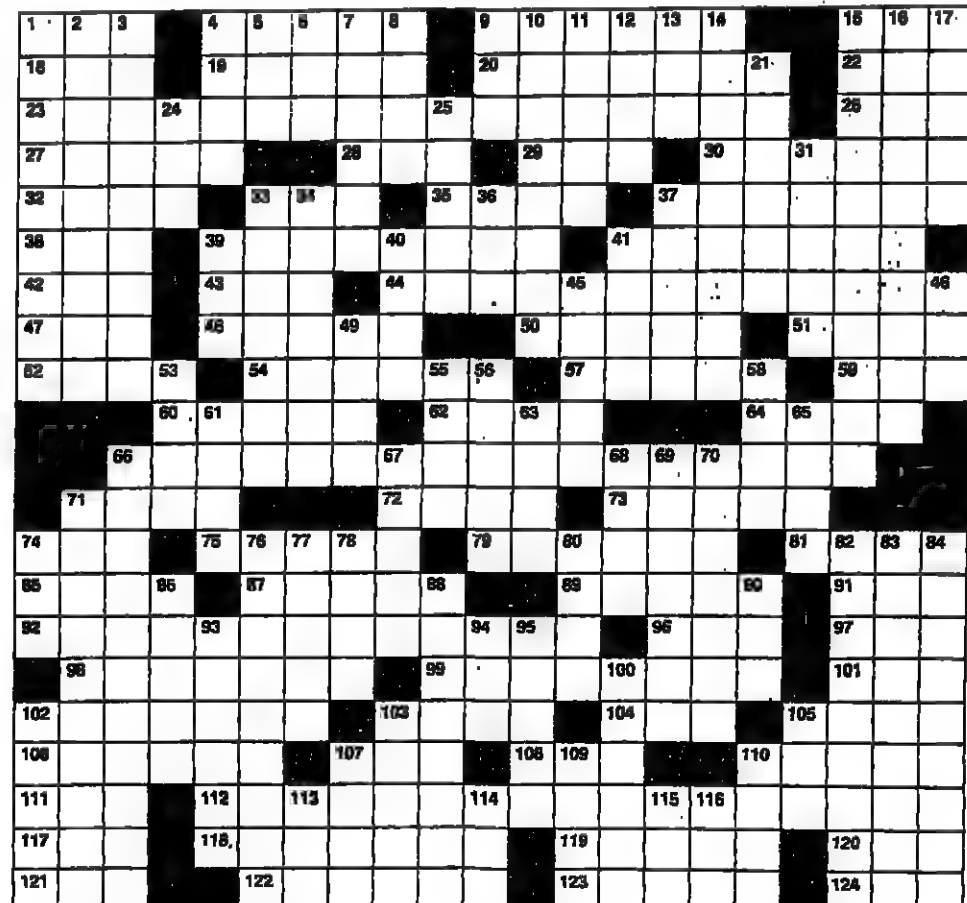
On a much smaller but still significant level, Mr. Prine sold over 200,000 copies of "The Missing Years" — a major hit by the standards of the folk-rock marketing niche into which the music industry had long ago put Mr. Prine.

Aside from the ample merits of its music, "Lost Dogs" now also has a radio format to help it get heard, Adult Album Alternative, for listeners who like adventurous music that doesn't sing the ear lobes. It has helped to launch such disparate acts as Sheryl Crow and the Crash Test Dummies as well as acting as home base for old pros like Ms. Raitt and Mr. Petty. With the sheer Mr. Tench has given Mr. Prine's music, "Lost Dogs" is, for perhaps the first time in his career, a truly commercial venture for Mr. Prine. If its combination of quality and strategy prevails, he will have to figure out a way to write wry, bittersweet songs about a subject that'll be new to him: success.

CAPITALISTS

BY MATT GAFFNEY / EDITED BY WILL SHORTZ

- ACROSS
- 1 Dance half
 - 4 It comes in a case
 - 9 Sudden activities
 - 15 Some change: Abbr.
 - 18 His Veep was George
 - 19 Late Swedish P.M.
 - 20 Sung story
 - 22 Part of 59-Across
 - 23 Ford portrayal
 - 28 Alice's boss on "Alice"
 - 27 Gathers on the surface, chemically
 - 28 Prefix denoting equality
 - 29 Incubates, as suspicion
 - 30 Time Inc. magazine
 - 32 Big night for teens
 - 33 Musical notes
 - 35 Words to a traitor
 - 37 — dogs (lab experiment subjects)
 - 38 60's war site
 - 39 Subcontinent language
 - 41 Medical school subject
 - 42 Prior to
 - 43 Roy Orbison's "— Over"
 - 44 Author who served as U.S. minister to Spain
 - 47 Funny Caesar
 - 48 Mazda offering
 - 50 Serengeti roamer
 - 51 "Put — my bill"
 - 52 Volvo rival
 - 54 Segovia medium
 - 57 Lotion ingredients
 - 58 Note in a poker game, e.g.
 - 60 Botanical seed
 - 62 Unexpected blessing
 - 64 Bird on a Canadian dollar
 - 66 Girl of a 1925 song
 - 71 Dessert maker's equipment
 - 72 Captivity
 - 73 Major force in chess
 - 74 Bachelor's home
 - 75 Moore co-star in '70's TV
 - 79 According to law
 - 81 Supermarket checkers do it
 - 85 Gaslight and others
 - 87 Shaped (up)
 - 89 Takes home
 - 91 Woodcutter in a children's story
 - 92 Author in the Bloomsbury Group
 - 96 Noted judge
 - 97 Pro Bowl team: Abbr.
 - 98 1983 World Series champs
 - 99 Gained
 - 101 Casual negative
 - 102 Kind of letter
 - 103 Contrary one



- DOWN
- 1 Potato chip quality
 - 2 Appearance moneys
 - 3 Wife of Perseus
 - 4 Karlovy Vary and others
 - 5 Spank
 - 6 Menu phrase
 - 7 Full of mischief
 - 8 Old autos
 - 9 Poly—
 - 10 Twiddle one's thumbs
 - 11 Neighbor of Bretagne
 - 12 Pack
 - 13 "Wow!"
 - 14 Make way
 - 15 20-Across, e.g.
 - 16 Redundant time
 - 17 Graf rival
 - 21 Letter closing
 - 24 Apple foe
 - 25 Trompe— (optical trick)
 - 31 Legendary Norwegian king
 - 33 Marathon problem
 - 34 It often comes with a battery
 - 36 Shot
 - 37 Jane Campion film, with "The"
 - 39 Korean surname
 - 40 Keep guard
 - 41 Push-button alternative
 - 45 Insider of a sort
 - 46 Endangered animal
 - 49 — yellow ribbon.
 - 53 Get spares, perhaps
 - 55 Having the power
 - 56 Explorer Amundsen
 - 58 Wild plum
 - 61 Sacred Hindu text
 - 63 "This one's —"
 - 65 Admits (to), with "up"
 - 66 Thin snack
 - 67 Cast
 - 68 Crayon color
 - 69 Sonora snack
 - 70 Type in again
 - 71 Name in Democratic politics
 - 74 Apiece
 - 76 Ritzy contraband
 - 77 Three trios
 - 78 Some eligible receivers
 - 80 Bridges or Daniels
 - 82 "Robinson Crusoe" extras
 - 83 Popular sports car
 - 84 Joker portrayal
 - 86 Evade
 - 88 Neurotransmitter of note
 - 90 Earth
 - 93 Illinois city
 - 94 Hockey Hall-of-Famer
 - 95 Like a boy scout
 - 100 Possibly
 - 102 32-center
 - 103 Song thrush
 - 105 "Li'l ol' me?"
 - 107 Many college profs.
 - 109 Drove
 - 110 Toil
 - 113 — Canals
 - 114 Gridiron positions: Abbr.
 - 115 — Amin
 - 116 Mao associate — Pao

ANSWER TO PREVIOUS PUZZLE

ABC DIAZ SPEAR CUBS
BARS INGE MOANED ASIT
SLIPPEDONHISROBE NAPA
QUOTE ALIT ORATION
SLURP BROKETHERECORDS
HEITSY TAME ANKNS
EAT GOSSE ACTS PAR
DROPPEDISFRIENDS URE
USE TRON ADORNED
SAHL FELLDOWNONTHEJOB
AMISS TEA EECOCALA
UPSETTHECHILDREN ABET
TESSERA TOTA EESS
ERE RAKINTOHISBROTHER
SED GOS STON OVA
BEDAN BLEU ADNER
SPILLLEDTHEBEANS LEONE
PICASSO ALEA SPIER
LAIT KNOCKEDOVERABANK
ANNE SINKIN NILO BARK
TOGS STYINE NESS YES

A pocketful of advice on managing money

PARENTING
RUTH MASON

SHOULD we give our children, who are five, eight and 10, an allowance? If so, should it be tied to chores? At what age should we start and how much should we give them? Can we put limits on what they buy?

Esti Cohen, certified parent educator and supervisor of parenting group leaders, answers: Having their own money makes children feel more equal, mature and capable.

An allowance serves several important purposes: It fosters independence and helps children become responsible; it encourages them to delay gratification, and to learn to prioritize; it gives them practice in using their judgment, and is practical preparation for life. It helps develop the ability to choose and teaches them the value of things, as well as the importance of saving. It also teaches thoughtfulness.

If a child has NIS 10 and wants to buy a present for a friend, he has paid attention to another's needs at the expense of his own. Experience in making such decisions helps the child appreciate other people's considerations in making decisions.

Having money also gives a child a feeling of belonging. If a child has no pocket money and wants to go to a movie, he's dependent on his parents. If he has his own money and decides not to buy candy for a couple of weeks in order to save for a movie, that makes him feel more equal to, and less dependent on, his family.

All this doesn't happen overnight. It's a process that takes time. For this process to happen, we as parents need to be very conscious of the fact that when a person learns something, he learns through making mistakes.

Let's say you gave your child a NIS 10 allowance on Sunday, and on Monday she asks for money for candy. You ask, "What happened to your allowance?" And she says, "I spent it all yesterday."

Instead of getting mad at her or pitying her and giving her more money, you can sit with her, if she's interested, and together figure out how next time she can manage her money differently.

You might suggest that she limit herself to

spending a shekel or a shekel and a half per day. If she's not interested in talking about it, you can depend on her ability to learn from her experience.

It's important not to criticize or humiliate the child, but allow her to learn from her actions. Be on her side. You can encourage her, saying something like, "I'm sorry that the money disappeared in one day. That's really a shame."

The goal of this process is to free the child from dependence in a gradual manner. So have patience.

I don't believe an allowance should be tied to chores. That's confusing pocket money with pay and detracts from the child's sense of belonging. It would be as if your children paid you for cooking dinner.

If your 10-year-old babysits for your five-year-old, or washes the car, the message is: you're part of the family.

If your child wants to get paid for chores, he can do them for another family.

If you're giving your child an allowance for the above-mentioned educational reasons, don't tell him that he can buy candy but not gum as that is to interfere and transmit a double message.

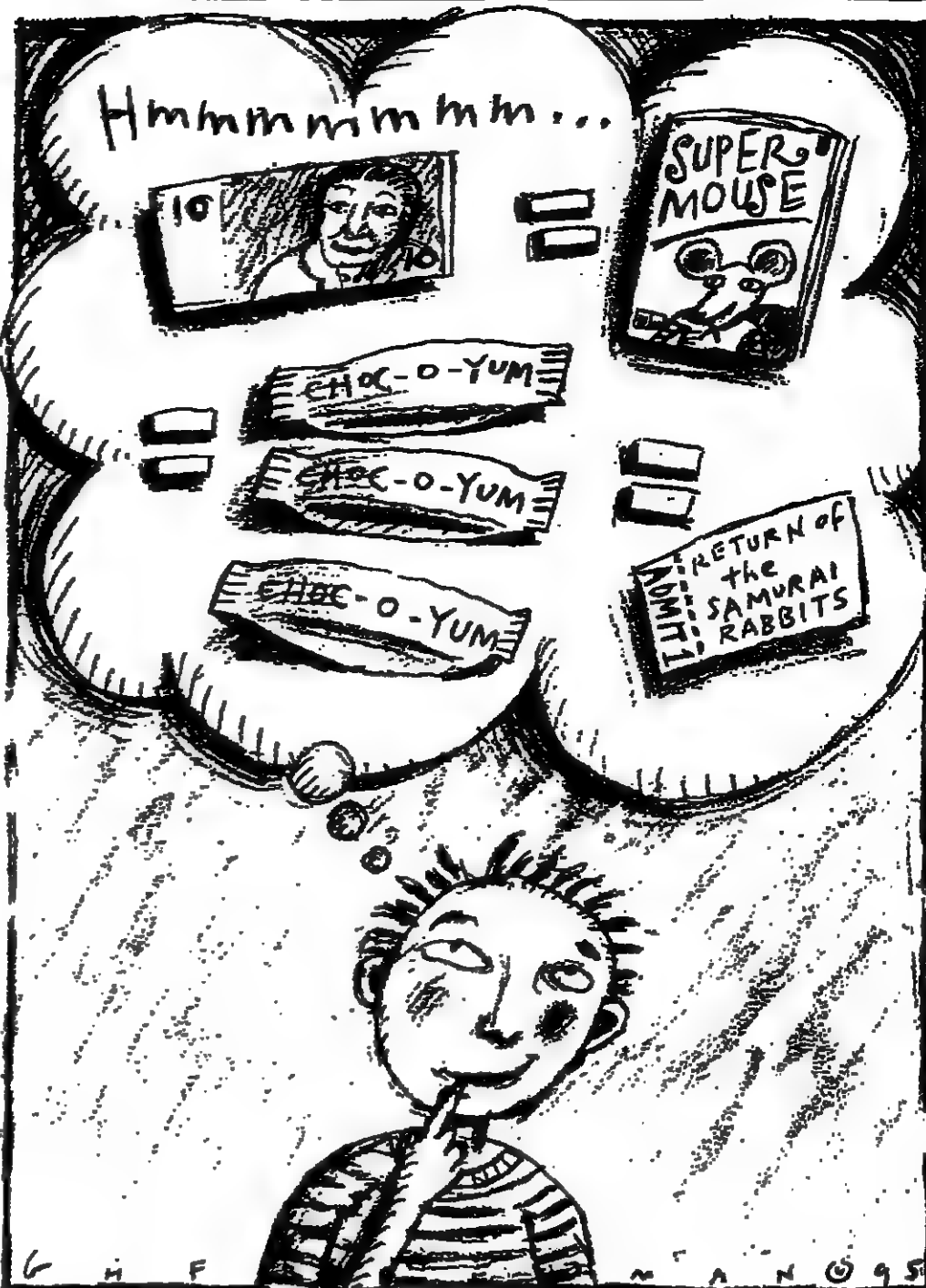
You're saying, here's money so you can learn to be independent and to make decisions, but I'll decide for you. This is confusing to the child. He should be able to control his own money.

When to start and how much to give depends on the child's age, character and needs, the number of children in the family and your economic situation.

In my opinion, a child who can count to 10 (about four years old) is old enough to receive an allowance if he has older siblings and if he wants one.

If he's a child who asks you to buy him something every time you walk into a store, you can sit with him and say, "You know what? I thought about it and I want to give you an allowance. That way you can decide what you want to buy."

The two of you need to agree what the allowance is for. Is it just for snacks? Is it for toys too?



Older kids, say above the age of 12, can get a bigger sum that may include entertainment, transport, gifts, etc.

Giving your child an allowance doesn't mean you can never treat him. And be sure not to use

the allowance money either for a prize or a punishment.

If you have a question about parenting, write to: Parenting, P.O.B. 81, 91000 Jerusalem.

Stop signs go up for toxic waste

EARTHLY CONCERNS
D'VORA BEN SHAUL

THE developing countries of the world have finally said that enough is enough. They are no longer prepared to be used as the world's waste-disposal site for toxic materials produced by industrialized nations. And at last, efforts to ban trade in hazardous products are being rewarded.

Sixty-eight countries, thus far, have signed the Basel Convention on the Transboundary Movement of Hazardous Waste. This agreement virtually prohibits the movement of toxic products from industrialized nations to nonindustrialized countries. By 1997 there will be no further movement of these products.

The effect is almost immediate. Until recently, developing countries have yielded to the blandishments—monetary or political—of industrialized nations and allowed the dumping of the most hazardous wastes within their domains.

But now these countries are realizing that the whole operation is self-defeating. They may get dollars they need, but they also get the final bill for health problems, pollution and environmental degradation. That is why, finally, they are saying "enough."

It is no secret to economists and environmentalists that the only way industrialists in advanced nations will be forced to confront the challenge of toxic waste disposal is through the pocket-book.

Only when it is clear that the disposal of toxic waste costs more than reducing the quantity of waste, will they undertake to meet the challenge of reduction.

In other words, if a company has to pay more for the proper disposal of the waste it creates than it would pay for measures that would reduce the waste by a third, or a half, or even more, then it is going to opt for reduction.

This is the sole aim of denying industrialized nations cheap and convenient dumping sites for the waste that they cannot, by law, dispose of in their own countries without severe economic outlay. The polluter has to pay.

But pollution is exported in more ways than one—for example, the random dumping of unwanted or otherwise unusable products into the mass markets of the underdeveloped countries. Pesticides, aerosols, even medical products, banned in the country of their manufacture are being sold, cheaply, to the underdeveloped nations. This also must be stopped.

A frozen attempt at motherhood: A father's right to say 'no'

LAW REPORT

ASHER FELIX LANDAU

In the Supreme Court, sitting as a Court of Civil Appeals, before Deputy-Justice Aharon Barak and Justices Dov Levin, Yitzhak Zamir, Tova Strassberg-Cohen and Zvi Tal, in the matter of Daniel Nahmani, appellant, versus Ruti Nahmani and others, respondents (C.A.5587/93).

RUTI and Daniel Nahmani were married in 1984. Following an operation, Ruti Nahmani was unable to bear children, and they agreed to the process of fertilizing her ova with her husband's semen and transferring the embryos to the womb of a surrogate mother.

In view of difficulties created by the Public Health Regulations (In Vitro Fertilization) of 1987, and following a petition to the Supreme Court (H.C.1237/91), the parties agreed to the fertilization being done in Israel, and the transfer to the surrogate institute in the US.

The above arrangement, however, was not implemented, for in 1992 Daniel Nahmani left his home and went to live with another woman, who bore him a daughter. Nevertheless, the Nahmanis are still married.

Ruti Nahmani then requested the embryos from Assuta Hospital, where they were stored, for transmission to the surrogate-mother institute in the US. Her husband opposed her request, and the hospital refused. She then moved the Haifa District Court to order the hospital to comply. The court ruled in her favor, and her husband appealed to the Supreme Court.

JUSTICE STRASSBERG-COHEN delivered the first judgment of the court. Citing numerous precedents and legal writings, she dealt first with everyone's basic right to freedom and privacy, including "personal

autonomy"; in the words of the US Supreme Court, "freedom of choice... respecting marriage, divorce, procreation, contraception, education, and upbringing of children."

However, the right to parenthood imposed no duty on an unwilling spouse to be a parent or assist the other spouse to be one. There was an equal right not to be a parent. Parenthood imposed heavy duties throughout life, while the right not to be a parent left things as they were. It would therefore not be proper for the court to impose parenthood on an unwilling party, and thus seriously infringe upon his right to "personal autonomy."

She then considered the principle of equality in the present context. In certain circumstances, she said, a woman was entitled to have an abortion. She did not require her husband's consent, and could ignore his objection. If motherhood could not be imposed on a woman, fatherhood should not be imposed on a man.

She was fully aware that Ruti's share—both physical and emotional—in the fertilization process, and their expectations for its fulfillment were harder than Daniel's. That process, however, agreed upon by both parties, was only at its beginning, while the court was asked to impose its continuation on a man who objected to it, for the rest of his life.

The imposition of parenthood, she continued, was against the public interest and acceptable judicial policy. The court had described the "public interest" as "the values, interests and central and vital principles which a given society wishes to uphold, preserve and develop, at a given time." It resulted from balancing conflicting rights and interests.

It would be improper for the judiciary to force Daniel to waive, utterly and completely,

one of his basic rights. Similarly, she remarked, section 10 of the Adoption of Children Law of 1981 permitted a parent to withdraw his consent to the adoption of a child, given before the child was born.

It followed that the court should not impose parenthood on a man who agreed but later reneged. His behavior may not be worthy, but not every desirable should be enforced by the courts. If natural parenthood could not be imposed, neither could parenthood by technological means.

After reviewing the legal approach to the question at issue in Canada, Australia, England and the US, Justice Strassberg-Cohen examined regulations 8(b)(3) and 14(b) of the above Regulations. She disagreed with the District Court that they supported Ruti's case.

Moreover, she held that, as regulations of the health minister as distinguished from a Knesset Law, they were intended only as directives to the health authorities, and not definitions of personal rights and duties in the highly sensitive and complicated context of artificial fertilization.

She then considered the problem at issue in the framework of contract law—the nature of the agreement between Ruti and Daniel, and his right to renege in the changed circumstances.

It was true the parties originally intended the birth process to be completed. At the same time, this was no ordinary contract, but one in the area of "human relationships of love, friendship and social intercourse." She then considered several Israeli and other authorities. It could not be

said, she ruled, after considering the evidence, that the parties agreed to the completion of the process in all possible circumstances, including the breakup of the family unit.

Not all agreements followed the same pattern. One exception was political agreements. Another, closer to the present case, was an agreement to marry. In the present time, breach-of-promise actions were hardly tolerated. In England, and in 20 states in the US, such actions had been abolished. In Israel they were strongly criticized, but the court held that their abolition was a matter for the legislature.

She then considered whether the agreement was "frustrated" in the technical legal sense, having been made impossible by some outside influence beyond the parties' control.

She concluded that since it was of a special kind, based on intimate emotions, the basic changes in the relationship between Ruti and Daniel had altered it fundamentally and even made its fulfillment impossible. In these circumstances, Daniel could not be held to his original consent to the process being completed.

She also held that, under section 3(1) of the Contracts (Remedies for Breach of Contract) Law of 1970, Ruti was not entitled to enforcement of the agreement since, in the special circumstances, it was "impossible of performance."

Once this was so, the question who was responsible for that situation was irrelevant.

She also rejected the submission that the agreement could be supplemented to clarify Daniel's intention to include the comple-

tion of the process, under sections 25 and 26 of the Contracts (General Part) Law of 1973.

She then ruled that even if Daniel could be held to his original consent to the process being completed, the court would not enforce the agreement. Citing many authorities, she held that the court, as in other countries, would consider the public interest before applying that remedy.

In the present case, that interest and sound judicial policy were against enforcement. Her sympathy was with Ruti, but sympathy was not enough to create rights. She also dismissed the submission that Daniel was precluded (estopped) from reneging on the agreement. It could not be said that his consent covered the possibility of their breaking up, or that Ruti had agreed to the process on the basis of Daniel's promise to see it completed even if they separated.

Citing many sources and Jewish law, she then considered the situation in some jurisdictions granting a separate status to embryos created by the fertilization. She also ruled that she was not required in this case to weigh the welfare of the child to be born. She added that she would not have deprived Ruti of motherhood had this point been considered, however.

Finally, she said that Ruti's distress had accompanied her throughout the case. However, with all her understanding, the court could not be expected to solve everybody's plight. Granting her the relief she claimed would be unlawful and an offense against the individual's basic rights in our society.

Justice Strassberg-Cohen pro-

posed, therefore, that the appeal be allowed.

JUSTICES BARAK, Levin and Zamir concurred.

JUSTICE TAL dissented from his colleagues. There were sometimes different competing legal solutions to a problem, he said, and in this painful case he believed a more just solution should be preferred.

It was indeed a man's basic right not to have parenthood imposed upon him. That right, however, must yield to the freedom, dignity, privacy and autonomy of others.

A man, like Lot, who unknowingly makes a woman pregnant, or a man deceived that his partner was using preventive measures, has good reason not to be saddled with paternity. And yet her honor, autonomy and privacy are preferred to his.

All the more so should this be the case where a man willingly agreed to fatherhood, but later changed his mind.

In this case too there was active intervention in Ruti's body which brought her to her present pass. Her same basic rights, as those enjoyed by Daniel, had been infringed. Why should his rights be preferred to hers? Who has weighed fatherhood and motherhood in scales? It was he who changed his mind and caused this serious infringement of her rights.

There was no legal norm to guide the court in this dilemma. His colleagues' ruling that the court should not impose undesired parenthood was itself the product of a new norm.

The real question was whether to impose fatherhood on the man or childlessness on the woman.

Forced childlessness involved depriving a woman of her basic and most fundamental right. Fatherhood forced on the man was

dwarfed against this deprivation.

Citing several authorities and Jewish law sources, Justice Tal also examined the situation in the contract-law context. It was only an assumption that Daniel would renege after the break with Ruti, and this assumption could be wrong. Moreover, all the necessary elements of estoppel were present. As Lord Denning had ruled, "When the parties to a transaction proceed on the basis of an underlying assumption... whether due to misrepresentation or mistake makes no difference—on which they have conducted the dealings between them—neither of them will be allowed to go back on that assumption when it would be unfair or unjust... If one of them does seek to go back on it, the courts will give the other such remedy as the case demands."

In this case it was Daniel who went back on his consent. He added that the above ruling expressed the law also in Australia and the US.

Justice Tal also referred to the above regulations, and to a recommendation of a public committee (mentioned by Justice Strassberg-Cohen) that both parties should consent to the fertilization process at every stage. In his view, neither of these factors defeated Ruti's right to motherhood.

IN THE result, and by majority decision, the appeal was allowed.

Dayana Har-Even appeared for Daniel; Ziv Gruber appeared for Ruti; and Miriam Rubinstein, director of the civil division in the State Attorney's office; Pina Sharetzky, director of the civil division in the Haifa District Attorney's office; and Dr. Carmel Shalev, appeared for the Attorney-General's office.

The judgments were delivered on March 30, 1995.

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Viewing
Mon., April 17, 1995
Through
Wed., April 19, 1995

תירוש
AUCTION HOUSE

Auction No. 31 מכירה מס'
Contemporary Israeli Art
The Collection of Mr. Ben David,
Israel-New York
Monday, April 17, 1995, at 9 P.M.

8

THE Baran group has been selected by developer Merhav Holding to coordinate all Israeli exports to the Israeli-Egyptian oil refinery to be built near Alexandria.

Baran, a holding company involved in the construction field,

will manage all procurement, commissioning of engineering work, orders and services from the Israeli side.

Merhav and its Egyptian partners have instructed all major international contractors to prepare bids for a \$200 million

Selection of a chief contractor is expected to be completed in three months.

Construction of the refinery will take years, at a total cost of

\$1 billion.
The oil refinery will be a state-of-the-art facility, processing fuel from Egypt and other sources, with products to be sold in Egypt and Israel.

Baran is 65 percent owned by founders Meir David, Yitzhak

Friedman, Menahem Gal, Israel Gutman, Yehonatan Inbar and Israel Scop.

Senior managers hold 10% of the shares and the remainder is publicly held.

Baran shares rose 2.5% yesterday following the announcement.

The officials noted that there were now 30 factories in the zone, which covers 800 dunams and was itself only opened two years ago.

Altogether, around 800 people work in the factories, which range from light engineering and plastics firms to electronics and computer software companies, as well as in administrative and service jobs at offices in the zone.

The employees at the various companies include many new immigrants who have moved into the Migav region in the past few years, as well as veteran Israelis.

Harish also took part yesterday in a cornerstone-laying ceremony for a new 95-dunam high-tech park within the industrial zone.

The new park is being developed at a total cost of \$26 million by the H. Mer investment company in conjunction with the Misgav development corporation, a subsidiary of the regional council.

According to the council officials, there is already a waiting list of companies wishing to set up business in the new high-tech park.

Harish, who visited the region to inaugurate the Teradion industrial zone two years ago, expressed his delight at the development there, including improvements in road networks and other infrastructure.

He promised that the ministry would continue to assist in the development and further increase job prospects for residents of the region.



MENORAH INSURANCE completed the year with a 40 percent drop in net profits to NIS 17.52 million from NIS 29.15m. in 1993.

Total premiums from insurance activities increased to NIS 973m. from NIS 866m.

Menorah's managing director Shabtai Angel said last year was characterized by a sharp fall in the value of shares and bonds on the stock exchange.

This influenced the company's life insurance, elementary insurance and investment activities.

The company suffered a NIS 12.1m. loss from equity investments last year, compared with earnings of NIS 4.9m. in 1993.

AT least 300,000 people are expected to visit the seventh annual Automotor show, organizers said yesterday, as the four-day event opened at the Tel Aviv Exhibition Grounds.

The steady trickle of the throngs was organized by Doron Geller's best refutation of harsh criticism of the show by some local media, which called it not up to international standards and "a bazaar."

At a pre-opening press conference, Geller outlined the difficulties faced in organizing the show.

For example, to bring the million-dollar collection of automobiles from Italy (among them Lamborghinis, Ferraris, and Maseratis) he was required to charter a roll-on, roll-off ferry boat, because the insurance companies would not allow the cars to be lifted by cranes.

"Insurance on these cars alone was NIS 350,000," said Geller, who has invested \$1.5 million in the show.

Israel, meanwhile, has rules of its own.

"In Europe, the spectators at motor shows, mainly professional people, are allowed to

touch the cars on display, and even sit in them," Geller said. "Here, everything must be guarded and security firms are not cheap."

Geller blamed "politics within the local motor trade" as the reason why many leading brands on sale here are not exhibiting at the show. He said only models not yet sold here or that have been on sale for less than three months could be exhibited.

"People don't want to pay money to see the same automobiles that are parked in the streets outside their homes," he said. "Some dealers simply don't have brand-new models to show off."

Thus, popular local names like Subaru, Daewoo, Daihatsu, Mitsubishi, and Skoda are all conspicuous by their absence.

Automotor '95 is divided into three parts — automobiles, motorcycles and jetskis, and accessories.

The star attraction of the automobile section is the display of "not-for-sale" cars,

among them the all-electric Blitz, designed by Bertone; the Nazca NXO designed by Pininfarina; and the Ferrari 512TR by Giugiaro. There's also a Lamborghini, a Maserati and a Bugatti.

Among the automobiles which can be bought are the various versions of the Jaguar, which occupy an entire hut.

Fiat is showing off its new roadster, the Barchetta, scheduled to be sold here by the end of the year. Also at the Fiat stand are the Lancia Campa and the Alfa Romeo 145, both new on the local market.

Audi has taken the opportunity to launch four new models here. Toyota and the General Motors group are also well represented.

Among the attractions at the show are demonstrations by four-wheel-drive vehicles, by go-carts and by stuntmen on motorcycles.

Automotor '95 will be open daily through Wednesday, from 11 a.m. until 11 p.m.

The entrance fee is NIS 34 for adults and NIS 28 for children, soldiers in uniform, and members of groups.

Profits from the life insurance division fell to NIS 31.8m. from NIS 37.6m. Total premiums from these activities increased 11% to NIS 530m.

Management blamed the decline primarily on expenses associated with increasing its activities in the life insurance sector and a fall in earnings from investments in the capital market.

Menorah's net profits from elementary insurance fell to NIS 15.77m. from NIS 15.87m. Premiums from the elementary insurance sector grew 14% to NIS 443m.

Elementary insurance claims grew 11.4% to NIS 248m., mainly reflecting a growth in car insurance claims resulting from the surge in car thefts.

Total assets rose to NIS 2.95b. from NIS 2.65b.

Jordan to work with Israeli Office for Construction Ventures: Jordan has recognized the Israel Office for Construction Ventures as the exclusive institution to receive proposals from Israeli companies to participate in the tender to install main water and sewage lines and pave roads in Irbid.

The \$100 million tender is being financed by the World Bank. The Office for Construction Ventures said work will be carried out by Israeli and Jordan companies. A delegation of Israeli contractors are scheduled to visit Jordan at the end of the month to discuss cooperation with Jordanian contractors.

Aloni gains control of Chemadir for NIS 1 million: Aloni, a leading firm in the tile product sector, has gained control of Chemadir for NIS 1 million, Aloni owner Netanel Aloni announced yesterday.

Chemadir distributes sealing and pasting products for the construction sector. The company is the exclusive representative in Israel of the US Pecora and Thorng products. Aloni said Chemadir will be incorporated into its ceramics division. The company's name will be changed to Aloni marble. Chemadir (1995).

Shohat to participate in Taniguchi conference: Finance Minister Avraham Shohat will take part in the Taniguchi conference of low cost quality improvement engineers, which will open in Tel Aviv next Tuesday. Dr. G. Taniguchi's development of those methods helped Japanese industry obtain its high level of efficiency.

'Planning needed to maintain reasonable agriculture prices': Advance planning in the major agriculture sectors is essential to guarantee stable and reasonable prices all year round, said Agriculture Center secretary-general Simha Assaf.

Responding to the publication of the March Consumer Price Index, Assaf said stable fruit and vegetable prices will only be maintained if there is a minimum price limit on agriculture produce and excess produce is used by industry.

Bank Hapoalim announced it is offering flexible foreign currency-linked deposits in reaction to the sharp movements in the value of leading currencies and the weakening of the dollar. Hapoalim is offering a foreign currency-linked deposit for at least one month where customers can invest a minimum of NIS 1,000, linked to one currency out of a choice of 21.

Tadiraun series 1 and series 2 bond holders approved management plans to restructure the company at a general bond holders meeting last week. The bond holders agreed to transfer the company's communications and systems and telecommunications and batteries divisions into subsidiaries which will operate independently under a holding company.

Spanish foreign currency deposit rates* (134.95)				
Currency (deposit for)	3 MONTHS	6 MONTHS	12 MONTHS	
U.S. dollar (\$250,000)	5.375	5.800	5.875	
Pound sterling (£100,000)				
German mark (DM 200,000)				
Swiss franc (SF 200,000)				
Yen (¥10 million yen)	0.250	0.195	0.195	

(Rates vary higher or lower than indicated depending on deposit)

Slovak Foreign Exchange Rates* (144.95)					
Currency basket	CHECKS AND TRANSFERS		BANKNOTES		Rep. Rate*
	Buy	Sell	Buy	Sell	
U.S. dollar	3.4235	3.4758	2.57	3.02	3.4509
German mark	2.9294	2.9727	2.37	2.82	2.9636
French franc	2.1042	2.1383	2.08	2.17	2.1194
Pound sterling	2.1046	2.1701	2.09	2.45	2.1398
Swiss franc	3.5150	3.5128	2.99	3.53	3.5303
Japanese yen (100)	3.4908	3.5472	3.45	3.60	3.5472
Dutch florin	1.8930	1.9134	1.83	1.84	1.8927
Swiss franc	2.5509	2.5951	2.50	2.63	2.5973
Swedish krona	2.4010	2.4073	2.35	2.45	2.4043
Norwegian krona	0.4705	0.4781	0.46	0.48	0.4740
Danish krona	0.5369	0.5456	0.52	0.55	0.5403
Finland mark	0.9946	1.0000	0.97	1.01	0.9993
Canadian dollar	1.1359	1.1704	1.09	1.21	1.1594
Australian dollar	2.1670	2.2020	2.12	2.24	2.2003
S. African rand	0.8114	0.8245	0.73	0.82	0.8201
Belgian franc (10)	2.9246	1.1412	1.60	1.90	1.0915
Austrian schilling (10)	2.9915	3.0398	2.94	3.09	3.0190
Italian lire (1000)	1.7108	1.7394	1.68	1.77	1.7287
Japanese yen			4.44	4.44	4.5957
Egyptian pound			0.83	0.80	2.5357
ECU	3.9725	3.9381			3.9100
Irish punt	2.9305	2.9579	4.70	4.44	4.9171
Spanish peseta (100)	2.7993	2.4073	2.32	2.45	2.5951

* These rates vary according to bank. ** Bank of Israel.

SOURCE: BANK LIAISON

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Mac Tel Aviv express runs through hapless Galil, 86-70

STEVE LEIBOWITZ

MACCABI Tel Aviv totally outplayed Hapoel Galil Elyon in the opener of the National Basketball League playoffs final last night, easing its way to an 86-70 victory.

Playing at home in front of a near capacity crowd at Yad Eliyahu, Tel Aviv never trailed after the first minute as it took a 1-0 lead in the best-of-five series.

Maccabi jumped to a 46-31 halftime lead and raised the advantage to 21 points early in the second half, virtually putting the game away.

Galil challenged briefly as it cut the lead to 71-60 before Maccabi ran away with the contest.

Maccabi started quickly from the opening tip-off. For Tel Aviv, Doron Jamchee had the hot hand, hitting two early three-pointers and in effect getting the third as he was fouled behind the circle. He made all three foul shots as Maccabi jumped to a 17-10 lead. Radisav Curcic outplayed defenders inside, scoring eight points underneath in the opening period.

Galil's offense could provide no first-half answers as only Oded Katash and Amir Muk-

tari were able to put any points on the board. Brad Leaf, uncharacteristically, scored no points, and barely touched the ball before the break. Maccabi's Jeff Kent and Motti Daniel came off the bench to add 14 combined first half points as Maccabi moved to a 15-point first-half advantage.

It was an all-around effort for Tel Aviv which played great defense and divided its scoring among all starters and key bench players.

Galil never got on track as the entire team, especially Leaf and Terry Dozier, played well below form.

"It felt good. It was a solid convincing win on both sides of the court. We plan to go to the Galil to win even though we know it will be much tougher up there," Daniel said after the game.

For the victors, five players were in double figures. Curcic and Daniel had 15 points apiece. Norris Coleman got 14 points, Jamchee 11 and Nadav Hensfeld 10. Kent finished

with nine points off the bench.

For Galil, Darren Daye led the scoring with 18, Katash, well below his 18-point average, scored only 10 and all in the first half. Leaf finished with eight and Dozier nine.

Hundreds of Hapoel fans in organized buses made the long trip up from the upper Galil to cheer on their club, but to no avail.

Game 2 will be in Hapoel's home court in Kfar Blum on Wednesday, and that could be a different story. During the regular season Hapoel trounced Tel Aviv in its arena, 83-70.

Maccabi is now a step closer to its 25th national title and it would be sweet revenge for it to knock off Galil, the team that beat them in the semifinal in 1993 as the northerners went on to take their only title. Maccabi swept Galil 3-0 the only time the clubs met in the finals in 1990.

Despite the night's thrashing, losing coach Pini Gershon was not ready to throw in the towel.

"You better believe we'll be ready for the next game. This was not the way to take the title," he said.

Courier crushes Agassi for Japan Open title

TOKYO (Reuters) - Jim Courier pulled off a shock and brutal defeat of new world No. 1 Andre Agassi to win the \$1.2 million Japan Open tennis title yesterday.

Agassi, playing in his first tournament since taking the top ranking a week ago, was crushed 6-3, 6-4 by his fellow American in just 76 minutes.

Both players felt the blustery conditions on the stadium hard-court at Tokyo Bay made it difficult to play their best tennis.

"I didn't play great today by any means. Partly because of my back, the windy conditions, and Jim - the way he's playing," Agassi said.

Agassi has been suffering from a lower back strain which struck during a Davis Cup match two weeks ago. It had forced him to withdraw from this week's Salem Open in Hong Kong.

The match was decided by the serve. Fourth-seeded Courier, a former world No. 1 and the winner here in 1992, unleashed a re-

lentless barrage of blistering first service winners and dotted his baseline game with canny deceptive lobs and drop shots.

Agassi said he was let down by his first serve. He only won 57 percent of points off it, compared with 78 percent for Courier.

"I'm happy with today's performance and I'm going to savor it because it's been a while since I've had such a week," said Courier, whose triumph gave him his third title of the year after he failed to win a single tournament in 1994.

Before the Japan Open, the 15th-ranked Courier had not beaten a top 10 player since he defeated Pete Sampras at last year's French Open. He beat No. 6 Michael Chang, the second seed, in Saturday's semifinals.

In the women's event, Japan's number one Kimiko Date failed to defend the title she has won for the last three years, bowing 7-6 (7-5) 7-5 to American Amy Frazier in a tense, hotly contested baseline battle.

Baseball players see red where blue's concerned

NEW YORK (AP) - While Mitch Williams was going wild against the San Francisco Giants, more major leaguers were getting mad at replacement umpires.

On a day when Boston ace Roger Clemens came down with tendinitis, Williams had the Giants ducking in his debut with the California Angels.

Williams sent J.R. Phillips and Jeff Reed to the hospital for precautionary X-rays Saturday after they were hit in the hand while trying to get out of the way of pitches at their heads.

Managers Kevin Kennedy of Boston and Bob Boone of Kansas City were among those taking aim at the replacements filling in for locked-out major league umpires.

"I wasn't too pleased today," Kennedy said. "I think if you showed replays today, you'd see a lot of missed calls."

It was a tough day for Kennedy. Clemens was scratched from his first spring start because of tendinitis. His status for opening day is in jeopardy.

Joe Caraco, a former minor league umpire, drew fire from Boone during a game against Detroit at Lakeland, Florida.

Mike Holoba, another former minor league umpire, was heckled by the crowd at West Palm Beach after a call in the game between the Yankees and Montreal.

Mike Stanley hit a ball to right field that looked far foul, but Holoba ruled it a two-run homer.

SCOREBOARD

SOCCER - Yesterday's Scottish Premier division match: Rangers 3, Hibernian 1.

NHL STANDINGS

EASTERN CONFERENCE

Atlantic Division

W	L	T	Pts	GF	GA
Philadelphia	22	14	48	127	113
New Jersey	19	14	42	114	100
New York Rangers	17	15	41	100	92
N.Y. Islanders	17	15	37	106	103
Tampa Bay	15	17	33	110	110
Florida	14	19	33	99	104
N.Y. Islanders	12	22	25	89	131

Northwest Division

W	L	T	Pts	GF	GA
Calgary	27	9	58	141	111
Pittsburgh	22	14	54	153	125
Edmonton	20	13	43	118	100
San Jose	17	17	35	108	112
Buffalo	16	18	34	103	97
Montreal	15	19	34	104	100
Ottawa	4	29	5	63	141

WESTERN CONFERENCE

Central Division

W	L	T	Pts	GF	GA
St. Louis	29	7	61	148	88
Chicago	22	12	47	158	105
Los Angeles	19	16	41	129	97
Toronto	17	18	41	110	119
Dallas	14	19	34	104	108
Winnipeg	13	20	6	92	146

Pacific Division

W	L	T	Pts	GF	GA
Calgary	21	15	47	141	116
Vancouver	15	19	36	125	122
Los Angeles	13	18	7	103	148
San Jose	15	21	2	101	135
Edmonton	13	22	3	98	139
San Jose	13	23	3	97	148

SATURDAY'S RESULTS: Pittsburgh 5, Ottawa 2; Boston 3, Montreal 2; Winnipeg 5, Toronto 1; Calgary 4, Edmonton 2; Vancouver 3, Anaheim 1.

Chambers breaks 20,000-point mark in Jazz win

SALT LAKE CITY (AP) - Tom Chambers, who returned home to Utah two seasons ago to finish his career, passed a major milestone playing the team that drafted him.

On Saturday night, Chambers became the 20th player in NBA history to surpass the 20,000-point mark, scoring 15 points in the Jazz's 105-83 victory over the Los Angeles Clippers.

Chambers, in his 14th season after being drafted by the Clippers out of the University of Utah in 1981, took a pass from John Stockton, drove the left baseline and scored on a layup with 6:46 left in the second period for his 20,000th career point. He finished the night 20/08.

Karl Malone had 21 points and 17 rebounds for the Jazz, who won their third straight and fourth in five games. The victory pulled them within 1 1/2 games of idle San Antonio in the race for

the best record in the Western Conference.

The Jazz became the first NBA club to have two players reach the 20,000-point plateau in one season. Malone surpassed the mark

on January 20.

Heat 123, Magic 117. Shooting almost exclusively from the perimeter, Glen Rice scored 56 points in a franchise record and an NBA high this season - to lead the heat Miami Heat past O'Neal's struggling Orlando Magic.

Michael Jordan had the previous league high with 55 points last month against the New York Knicks.

Rice scored 13 points in the final five minutes to pull away in his scoring duel with O'Neal, who had to settle for 38 points and 16 rebounds.

SATURDAY'S RESULTS: Seattle 115, Golden State 99; Miami 123, Orlando 117; Boston 123, Detroit 104; Philadelphia 97, New Jersey 87; Washington 98, Sacramento 94; Utah 105, L.A. Clippers 83; Phoenix 119, L.A. Lakers 114; Dallas 102, Portland 90.

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Tens of thousands turn out for holiday pleasures

DAVID RUDGE
and HAIM SHAPIRO

TENS of thousands of holidaymakers converged at tourist sites throughout the country yesterday, causing congestion on the roads, but bringing smiles to those in the tourist trade.

The focus of attention in the north was Lake Kinneret, although the Upper Galilee, the Golan and other parts of the region were also crowded.

A special laser show, entitled "Rays for Peace," was staged at Kibbutz Alumot last night with the beams being directed 12 kilometers from the kibbutz to the site where the borders of Jordan, Syria and Israel meet.

Hundreds of people watched the laser display and later joined in the song and dance festivities.

Jordan Valley Regional Council chairman Ze'ev Shore told reporters that around 40,000 visitors a day were expected in the area during the Pessah holiday break.

The Canada Center sports and recreation complex in Menula, meanwhile, is staging special displays of figure skating and speed skating by leading Israeli stars at the center's



The Kalisky and Wiseman families from Meitar, near Beersheba, picnic in the Jerusalem Forest yesterday. Thousands of families that spent the first of Pessah's intermediate days outdoors.

(Joe Malcolm)

covered ice rink, as part of the holiday attractions.

The Hermon ski site was also a popular attraction, especially for

those wishing to have a final fling in the snow on the peak before it melts.

An international kite-flying competition in Katzin and a Golan Heights treasure hunt are among the activities which are expected to draw thousands of people to the Golan.

Last night also saw the opening of the annual four-day "Music and Nature" festival in the Misgav region of the Galilee. It includes performances by leading pop stars, along with classical music concerts and tours of the area.

In Haifa, a special children's festival got under way yesterday with over 100 performances slated to be staged at various sites in the city until the end of the event on Wednesday.

Figures from the Edomite and Roman periods are to greet visitors to the ancient site of Hatzeva, which is to be officially opened today.

As part of the holiday celebrations, the figures, actors in the Negev Theater, are to offer matza and salt to the visitors, as well as water from clay jugs. The opening of the site, which includes a massive fortress from the Judean kingdom.

As a special service, the Nature Reserves Authority is providing advice by telephone to hikers on where they are likely to run into heavy

Two killed on roads

SHARON Hadida, 21, was killed yesterday morning when the car he was driving swerved and crashed into an oncoming truck near Nahalal. The truck driver was taken to Ha'emek Hospital in Afeka with undisclosed injuries.

In Holon, Postal Authority delivery man Ronen Barda, 23, of Tel Aviv, was killed when his motor scooter was struck by a car at the intersection of Leon Blum and Hishadri streets. Barda was thrown into the air by the impact and died when his head struck the street. The driver of the car, 31, was held for questioning.

David Rudge and Itim

crowds. "When someone says that they want to visit a place that is very packed, we suggest alternative routes," said Meirav Segal, a member of the NRA spokesman's staff, who helped man the phone lines yesterday.

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5 policemen hurt in brawl

DAVID RUDGE

FIVE policemen were injured in a brawl while trying to search the car of two suspects in a Galilee village yesterday. Two of the policemen were taken to Nahariya Government Hospital following the struggle with the suspects and members of their families. Altogether, seven people were arrested, including the two original suspects.

The Galilee District police spokesman said the incident occurred when a mobile patrol in J'daich village, near Acre, spotted two suspects in a car, one known to police as a suspected drug dealer. It was members of his family who attacked the officers.

During the fight, the policemen were threatened with a knife, the spokesman said.

Ex-Jewish cardinal of Paris will lecture at TAU conference

HAIM SHAPIRO

THE Jewish-born Roman Catholic cardinal of Paris is to give a special lecture at a conference at Tel Aviv University in which the former chief rabbi of Great Britain is also due to take part.

Cardinal Jean-Marie Lustiger, archbishop of Paris, is to speak on the "Silence of God" at what is to be the closing session of the Howard Gilman International Conference on that issue. Also appearing at the conference, due to take place from April 24 to April 26, is Rabbi Lord Immanuel Jakobovits.

Conference organizer Prof. Asa Kasher said yesterday he is aware

there might be some opposition to Lustiger's appearance, because he is a convert from Judaism. However, he said, he is not overly concerned.

"In the academic world we are not afraid of criticism. We think we have the right to think as we do and others have the right to think otherwise," Kasher said.

Lustiger, a Holocaust survivor, is well known in the Roman Catholic world as a prime mover in reaching greater understanding between Jews as Catholics. However, apparently because of Jewish sensitivities, he has rarely appeared on a public platform with Jews in an interfaith con-

text. Kasher said that, to the best of his knowledge, this would be the first time for Lustiger to speak publicly in Israel.

"We have invited him because he is an important person in the Catholic Church and a renowned intelle-

tual and because his entire life has been a challenge to this problem," Kasher said.

Kasher added that Jakobovits had been informed that Lustiger would be taking part, before agreeing to

participate. Kasher said that no doubt the former British chief rabbi had his own views on conversion from Judaism, but that his agreement to take part shows a readiness to hear the views of others.

The gathering is to focus on the central questions raised by the appearance of evil in the affairs of the individual, the Jewish people, and the world. The issues are to be dis-

cussed with a special emphasis on the Holocaust from Jewish and Christian standpoints.

Also due to take part are other Jewish and Christian clergymen, theologians, philosophers, historians, and writers from Israel, Europe, and the US. Chairing the final session, at which Lustiger is to speak, is to be Tel Aviv University President Yoram Dinstein.

AISH HATORAH OPEN HOUSE at THE KING DAVID HOTEL
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8:30 a.m. Rabbi Geller: "Wonders of Jewish History"
5 p.m. Rabbi Meyer: "Do Love and Marriage Go Together?"
8:30 p.m. Rabbi Noah Weinberg, Dean of Aish HaTorah: "ABC's of Jewish Pleasure".

Tuesday, April 18
9:30 a.m. Rabbi Pliskin: "Begin Again Now: Jewish Approach to Growth and Happiness."
11:30 a.m. - 12:30 a.m. Roof-Top Tour of Old City, starting at the new Aish HaTorah World Center, overlooking the Western Wall (leaving from King David Hotel at 11 a.m.)
5 p.m. Rabbi Berger: "The Jewish Challenge: The Why's of antisemitism."
8:30 p.m. Rabbi Zeldman: Hidden Codes of the Torah: experience the Discovery Seminar

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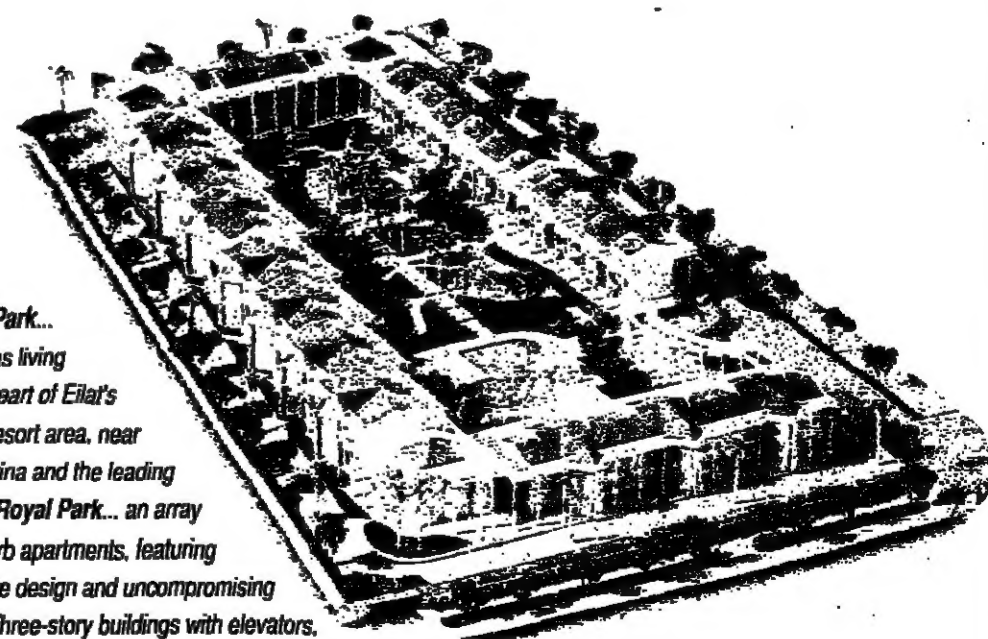
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